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**THREE YEARS'**  
**RESIDENCE IN CANADA,**  
**FROM**  
**1837 to 1839.**



**THREE YEARS'**  
**RESIDENCE IN CANADA,**

FROM

**1837 to 1839.**

**WITH NOTES OF A WINTER VOYAGE TO NEW YORK, AND  
JOURNEY THENCE TO THE BRITISH POSSESSIONS :**

TO WHICH IS ADDED,

**A REVIEW OF THE CONDITION**

OF THE

**CANADIAN PEOPLE**

BY

**T. R. PRESTON,**

LATE OF THE GOVERNMENT SERVICE AT TOR

**IN TWO VOLUMES.**

**VOL. I.**

**LONDON:**

**RICHARD BENTLEY, NEW BURLINGTON STREET,**

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## P R E F A C E.

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THE powerful interest respecting the affairs of Canada, that has been lately re-awakened in the mind of the intelligent portion of the community, as much by the revival of animated parliamentary discussions in relation thereto, as by the character of the dispute now pending between England and the United States, has induced me to give publicity to the following pages, as a trifling contribution to the very scanty stock of accessible materials serving to elucidate the general subject-matter of the two-fold case at issue.

Impressed with the conviction, that the results of long personal experience and observation in



the Canadian provinces, must prove a not unwelcome offering to the British public at the present moment, let them originate in what source they may, I have not hesitated to incur the risks and perils of authorship; while, indeed, I cannot but consider, that, in many respects, I have only acquitted myself of a public duty, in placing on record much of that which will be found narrated in these pages.

It should seem obvious that the more varied and multiplied works upon Canada become, the more forcibly and steadily will the public mind continue to be directed to a consideration of the state, with a view to the promotion of the welfare of that country, which presents a vast field for inquiry, even now but partially explored, to all who may be disposed to aid in bringing it under progressive cultivation.

Disastrous as in themselves have proved the events which have marked the history of Canada during the last few years, they have had at least the good effect of diverting public attention

towards a too-long neglected channel ; and it is to be hoped, that the feeling now manifested by the British people in relation generally to the subject of Canadian affairs, may prove the more lasting from having been so tardily aroused.

The period which the following reminiscences embrace, extends over the interesting interval from the beginning of 1837 to the end of 1839 ; and in the course of that interval, I possessed many favourable opportunities of investigating—with what success it remains for others to determine—the various subjects upon which I have ventured to deliver an opinion.

The chief circumstances incident to the proceedings of the Canadian insurgents and their American confederates, I have endeavoured to bring before the reader in a succinct shape. In tracing my impressions of the various objects that I have imperfectly passed in review, I have also sought to pursue a strictly impartial course ; to praise or censure according as justice seemed

to dictate ; to place in prominent relief the most interesting facts ; and, finally, to blend the material substance with such incidental matter, whether as regards personal adventure, descriptive relation, or mere anecdote, as should serve to relieve the more serious portions of the work, at the same time that it should contribute to the amusement of the reader. In the general arrangement of the miscellany thus projected, it has been more my object to connect events and subjects having affinity with each other, than to adhere to a strictly chronological order of narration in respect of them.

Desirous to depend exclusively upon my own means of information, and upon my own experience, I have purposely abstained, since my return to England, from consulting any recent publications whatsoever that have reference to Canada ; nor have I sought to ascertain how far my sentiments might chance to correspond with, or differ from, those entertained by other writers who have treated upon the subject.

Unbiassed by party feeling, or by party views, I have been actuated by the desire alone to exhibit to the best of my ability, and according to my conscientious belief, the wants of Canada in their real light, and whilst tracing admitted evils to their primitive sources, to point out what have seemed to me the legitimate remedies for their radical cure ; endeavouring, moreover, to bear out by some practical illustration, the respective arguments adduced.

As regards, generally, the political opinions, to which, whether relating to Canada or to the United States, I have given utterance, it is proper to state that, erroneous or correct, they are the result entirely of my past *local* experience ; in affirmation of which I may add that they substantially correspond with the sentiments recorded in a series of articles that I contributed, under a feigned signature, to one of the Canadian Journals, about eighteen months ago.

The desire to give early publicity to this work,—while serving to preclude the degree of

revision that I could have wished, as regards its style and composition,—has also compelled me to omit the discussion in it of some further points of interest than those actually brought under consideration ; but should circumstances favour the design, I may possibly resume at a future opportunity, the task I have thus far performed.

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THREE YEARS'  
RESIDENCE IN CANADA,  
(1837—39.)

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CHAPTER I.

**Memorable Trans-Atlantic voyage.—Incidents and perils thereof.—American Pilot-boat.—American Landlord.**

IN the winter of 1836, circumstances having required that I should proceed to Canada, I engaged my passage on board a London and New York *liner*, and sailed from Portsmouth towards the end of the uninviting month of November.

Had the occurrences which marked my voyage across the broad bosom of the Atlantic been of the usual ordinary character, I should abstain from even an allusion to them ; but, peculiar as



they were, I cannot resist the opportunity of narrating them ; and their indelible impression on my memory ensures their being rendered with at least fidelity.

The ship in which I embarked seemed to have been singled out by the elements, from the very hour of her departure, as a special object of assault : peradventure, in derision of the war-like appellation which graced her bows, or because she appeared an antagonist worthy of their strife. If the latter were the cause of joining issue, correct judgment on the part of the elements must certainly be recorded, for never did assailed vessel sustain her ordeal better ; though many were the occasions during the progress of the voyage, when even her experienced captain, revealed by his demeanour, to a watchful eye, his secret apprehension that the unequal contest must eventually prove fatal both to her and her living cargo, numbering altogether about one hundred persons, of whom rather less than a fifth part were cabin passengers.

After the prelude of much rough skirmishing, during which Nature failed not to exact her usual

•

tribute from most on board, the full weight of battle fell suddenly upon us on the 29th of November, when we were caught, while in the Channel, by the frightful hurricane of that night, which, sweeping the Atlantic from west to east, caused, as we subsequently ascertained, the wildest devastation, both on sea and shore, in either hemisphere.

This storm, striking the ship when least expected, all but drove her beneath the water; she recovered, however, from the shock, but still trembling beneath it, could keep no course, and for a considerable time was perfectly unmanageable. No longer could she boast of "walking the waters like a thing of life;" and if it were her demeanour that had "dared the elements to strife," most bitter cause had we to repent her temerity.

The tempest, which raged in its utmost fury throughout the night, somewhat abated towards morning. When daylight dawned, we found ourselves in the dangerous vicinity of the Scilly Rocks, borne on a raging sea, while, staggering towards us, was seen a dismasted vessel. It was

thus evident, that our danger in the darkness had been of a triple character, though we had happily been unconscious of the presence of two of its component elements.

As it was—rolling without a stitch of canvas set, in the deep trough of the sea—we had the utmost difficulty in avoiding the approaching vessel, which, at one time, was separated from us only by a single swell ; and had this taken her as all supposed it would do, it must have hurled her right athwart us amidships.

Dismasted and helpless, however, as she was, she managed to pass round our stern, and the anticipated crash, involving the destruction of both ships, was thereby happily avoided.

The sea, at this time, presented a sublime, though an appalling spectacle, and, shrouded in the morning mist which the sun had not yet penetrated, bore the appearance of a wall of dark-iron grey, up the almost perpendicular side of which we were slowly creeping ; until having gained the streak of white foam which fringed the summit, the delusion ceased, and we plunged again headlong into a similar abyss to

that from which we had just emerged. But scenes like this defy an adequate description from even the most skilful hand ; they must be witnessed, and, once beheld, can never be forgotten.

To add to our misfortunes, during the eventful night through which we had so wonderfully struggled, our captain had been incapacitated from further duty, and now lay prostrate in his berth from the effects of a severe injury of the spine, occasioned by a heavy fall on deck. The ship was, however, skilfully handled by the chief mate, who, though coarse and brutal in his conduct towards the seamen, was a first-rate sailor. On the day previous, the ship's barometer accidentally got broken ; and, as sailors are always superstitious, this was looked upon as a bad omen for the voyage.

The horrors of our situation during the hours of darkness, had been necessarily much increased by our ignorance of our precise position ; for, although we knew we were in the " whereabout " of the chops of the Channel, when the tempest met us, the compass alone did not enable us to

ascertain the exact point towards which we had since been driven.

The fierce howling of the wind, coming, as it did, not in gusts, but in one dense body, as though compressed into solidity, before it burst upon us; the breaking of the giant waves against the quivering stern posts of the ship; the rush of water through the companion and the hatchway, or, as it rolled to and fro, knee-deep upon the deck, staving in the bulwarks; the horrid creaking of the masts, as though in very agony; the sound of the captain's and the mate's voices, which, deadened by the blast, came wafted to our ears like whispers of the unblest; the dreadful pitch and rolling of the ship; the spectacle of the uncontrollable fear of some; the silent agony of others, and the despair depicted upon every countenance; formed a combination of terrors well-calculated to unstring the stoutest heart, and to fill the sternest mind with desolation.

The utter nothingness of man, and the awful power of his Creator were here, side by side, apparent. Internal prayer was the only refuge;

for the feelings (I speak by my own) were too high-wrought to find vent in words, and were alone appreciable by a mutual glance of the eye or pressure of the hand, as, like culprits summoned to a fearful doom, we stood congregated in the humid, dimly-lighted cabin !

The reader may gather some faint idea of the imminence of our peril, from the observation made to us by the captain when we could talk over the occurrence, that during the long period of thirty years that he had been a sailor, the storm we had weathered had no parallel in the annals of his experience, and that nothing short of his own evidence would have convinced him that *any* ship could have outlived it.

After escaping from the mighty danger I have so imperfectly described, we experienced the recurrence of a *series* of gales, minor only in the comparison, which protracted our stay in the Channel or its vicinity to full three weeks; drove us to every point of the compass, and, in alternate succession, to the coasts of England, Ireland, and France, exposed to the constant chance of shipwreck upon one or other of them.

Incredible as it may appear to some, the vessel rode through these severe ordeals without the loss of any thing beyond a sail or two being blown from the yards before they could be furled. The masts, which had threatened several times to go by the board, remained standing, and not a spar was injured. Surprise will, however, cease when it is considered that the vessel and her equipments were entirely new, and made of the very best materials; besides, the real danger after all consisted, next to foundering, less in being dismasted than driven on a lee-shore, or on the Scilly Rocks.

Becoming now seriously apprehensive, and more particularly so from certain incipient symptoms which already began to manifest themselves, that our stock of provisions would fall short before the expiration of the voyage, we entreated the captain (who had in some measure recovered from his injury) to put back, and procure a fresh supply; but this he declined to do, though promising (no doubt to quiet us) to touch at the Azores for that purpose. He, however, either could not, or would not make those islands,

and adverse winds continuing to prevail, it seemed as though we might possibly have to suffer something worse than shipwreck, and the fishes might not be the only parties disappointed of their promised food. Such a contingency as dying of starvation on board a New York packet-ship, was, like the crime of parricide at Athens in the palmy days of Solon, a thing unheard of, and most certainly not surmised by any one of us when we paid the sum of thirty-five guineas for our board and lodging, whilst in a state of transitu between the two hemispheres !

The fact of the matter was, that, from some cause unexplained, the ship had been very inadequately victualled for a voyage even of the average duration ; hence it resulted, that before the expiration of a month from the day of sailing, we were gradually put, *ex necessitate*, upon short allowance ; being, furthermore, curtailed of one meal altogether.

But if the condition of the cabin denizens proved such, how infinitely more deplorable was that of the steerage passengers ! Many of these



poor people (in so far emulating the captain, or his steward) had laid in a stock of provisions scarcely sufficient for a month's consumption, and were now, consequently, in a very distressed state; while others, miscalculating the chances of the voyage, had been at first too lavish of their edible store, and were constrained not only to economize the scanty remnant thereof, but to share it with their destitute companions, from whom, in some instances, they exacted a pecuniary consideration in return. Potatoes, having held out the longest, were at a premium that would have made an Irishman's heart ache, to say nothing of the scarcity.

But this arrangement also had its term; the common stock itself was soon exhausted, and during the last fortnight of the voyage, the steerage passengers might literally be said to have been without the means of sustenance. The ship's stock of water too was beginning to run very low.

In this state of things, these poor people, driven to their last resource, sent a deputation to the captain, the members of which, with

haggard countenances and tears standing in their eyes, earnestly besought him to grant them a portion of the large supplies which they erroneously supposed to be set apart for the cabin passengers.

He explained to them, that the impoverished state of the cabin larder effectually precluded a compliance with their request, but added (and this was a fact which transpired, by the way, for the first time), that there was a small quantity of corn on board, forming part of the cargo, to which they might have recourse, provided they could raise the wherewithal to indemnify him for the subtraction of what their necessities might require.

All, though equally willing, were not alike able to comply with this condition, which ought not, perhaps, under all the circumstances to have been exacted. The cabin passengers were then appealed to, and willingly came forward with their subscriptions, repeating them as occasion needed, to supply the deficiency.

They had shortly to partake of the same fare themselves, but did not of course pay for it.

The corn underwent a sort of rough grinding and winnowing, by a variety of ingenious contrivances, and was then converted into various coarse preparations.

I must not omit to mention that, in the height of these privations, we were about to make a most ungrateful return (though this need not surprise, since man is ever selfish) to our poor cow for the milk wherewith she had till now plentifully supplied us, by slaying her for the sake of her flesh. But she was a Yankee cow, and, with true Yankee sagacity, fell, or shammed sick, at this critical juncture of her fate, thereby saving her life and our reputation!

The terrific weather we at first encountered had finally determined the captain to steer a southern, in preference to a northern passage, though, as it afterwards appeared, we should, in all probability, have been gainers had he adhered to his original intention.

Be this as it may, southward we went, but, what with light head-winds, tedious calms, and contrary gales, in alternate succession, we were kept hovering on the edge of the gulf-stream,

without the power to cross it, for the space of a whole fortnight. At length, one Sunday morning, a favourable breeze springing up, carried us before it at a dashing rate to the opposite side in the course of a few hours, somewhere about the latitude of Norfolk on the coast of Virginia.

Here, as we met for a day or two after with mild pleasant weather, and, falling in with some coasting craft, obtained from them a small supply of provisions, we began to indulge a hope that our troubles were at an end; but the result proved the truth of the old maxim that "*l'Homme propose, et Dieu dispose*;" for on the evening of the second day, owing to the influence of an in-shore current, so slight that it had been disregarded, and to carelessness in sounding, we suddenly struck, and found ourselves floundering on the point of a shoal which stretched far into the bosom of the sea.

Here, then, was a new scene of trouble and anxiety, which we certainly had no right to anticipate. We had struck very lightly it is true, being at the time in comparatively still water,

and having very little wind, but we were not the less firmly fixed ; and our utmost efforts to get off, by the usual expedient of backing sails, proved wholly unavailing, the only effect produced thereby being the heaving of the ship in a way to add very greatly to our apprehensions and discomfort.

The captain, though he said but little, was deeply mortified. To allay the general disquietude evinced, he affected to believe that we were in deeper water than we really were ; but one of our companions, a nautical man, having judged for himself, by a cast of the lead, privately told us that we had barely four fathoms !

By one of those miracles which seemed to have attended us throughout, it proved, upon investigation, to have been low-water when we struck, so that a chance remained of our getting off when the tide should rise.

Cheered by this reflection, we hoisted and fired signals of distress ; and these, being seen or heard by one of the coasting schooners already mentioned, she bore up to us, affording such

assistance as was in her power. She furnished us with a small kedge-anchor, which, being carried out with a rope attached to it, we were enabled, by working the latter manfully at the capstan, in relief gangs, to aid very materially the efforts of the rising tide, and had the unspeakable satisfaction, at the expiration of several hours' hard labour, to get the vessel off.

During these proceedings, the scene, both above and below deck, was most distressing, though not without touches of the ludicrous. Men halloing and swearing; women and children crying and lamenting; some arraying themselves in their best garments, in the hope of escaping to the shore in the friendly schooner; others selecting the effects they were most anxious to preserve; the deck strewn with scattered cordage, interspersed with boxes, bedding, and various other articles; the sails flapping against the masts; formed a combination of circumstances calculated to fill the mind with strange emotions, coupled with ever varying speculations as to the result.

“ S'il y a de la poésie dans un naufrage,”

quaintly observes some French writer, "ce n'est pas celui qui se noie qui aura le loisir d'en profiter;" and the truth of the remark came across me with peculiar force on this occasion, anticipating as I did its speedy illustration.

Once more, then, we found ourselves afloat, and time it was we were so, for, shortly after our release, a furious gale, accompanied by a snow storm, sprang up from the north-east, the effects of which must have inevitably proved fatal to us, had we been compelled to await them in our former position.

The night proved dark and boisterous, inflicting on us an intensity of suffering, both mental and bodily; and when morning dawned, it was found that we had overshot Sandy Hook, and were running at a slant towards the point of land at the extremity of Long Island Sound. The captain, therefore, tacked and stood in for the Hook; but, no pilot making his appearance, he was compelled to proceed at his own risk, as the vehemence of the gale, hourly increasing, admitted on our part of no delay. The morning was, however, so hazy that the captain became

bewildered, and so confounded his land-marks as to mistake them altogether. Hence, while proceeding in full career, as we thought, in a right direction, the awful sound of breakers a-head came suddenly upon our startled ears, and presently the dim outline of the fearful Rockaway shore, on which (as we had already learned from a newspaper obtained on board the schooner) the unfortunate ship *Mexico* had recently been cast away, appeared frowning darkly at us through the mist in which it was enveloped. A moment's hesitation on the part of the captain, and all had been lost ; this was, indeed, the crisis of our fate, and well we could do it as, rushing to the deck, we gazed alternately at each other and the appalling scene before us.

The captain nobly redeemed his nearly fatal, however involuntary, error. For the first time during the voyage, he was now seen in a state of intense excitement. Himself, springing to the wheel, "'Bout ship, mylads," he shouted; "haul away for your lives ! if she misses stays, we are



lost." But the gallant ship, though she had often before missed stays, did not do so now ! As if sensible of her danger, she answered promptly to the helm, bounded, like a deer doubling on its course, on the opposite tack, and we were saved ! At this wholly unlooked-for deliverance, our long pent-up emotions found vent in three thrilling cheers, and, uncovering our heads, we returned to the great Giver of all good the silent tribute of our thanks, which, I doubt not, were heartfelt on the part of all, for the infinite mercy he had shewn us. A brig, evidently as much bewildered as ourselves, had been following in our wake, profiting by our leadership ; but on seeing us suddenly tack, became alarmed, tacked also, and thus avoided the fate to which we were alike blindly rushing.

We now rapidly neared the light-house, and here, though with great difficulty, from stress of weather, took in a pilot, who ought long since to have made his appearance. The ship, however, could proceed no further, as the gale, which had gradually been veering to the westward,

blew by this time directly down the bay, and it was therefore resolved to cast anchor, until a steam-boat should arrive to tow her up.

This happened on the 23d of January 1837, being the sixty-third day of the voyage. Both the passengers and crew exhibited a very different appearance at the beginning and at the end of it, as may very readily be imagined. Among the steerage-passengers, in particular, bodily privation and mental anxiety had effectually done their work, and when I last saw them emerge from their unhealthy domicile, they seemed but the shadows of their former selves, being pale, haggard, and attenuated to the last degree.

From harsh treatment, by the first mate, hard service, and short allowances, the crew had shewn frequent symptoms of dissatisfaction, and on one critical occasion, as regarded weather, fairly mutinied, being with very great difficulty induced to resume their duty.

During this long and memorable voyage, it is scarcely to be supposed, particularly as we steered a southern course, that we were without

snatches of fine, agreeable weather. On such occasions we had recourse to various expedients to relieve the tedium of our position, and keep alive our spirits; but none proved so effectual a means to the end proposed, as the appearance of a diurnal paper that was started, complacently termed a "Gazette," and to which all more or less contributed. It lived about a week; and, by way of curiosity, as a specimen of editorship afloat, under *bilious* influences, I subjoin some doggrel (whereof I procured a copy), forming the concluding part of the editorial address.

*Ecce signum.*

Amid the din of elemental strife,  
 Despite the *ennui* of a ship-board life,  
 The muse asserts her beneficial sway  
 To cheer the wand'rer o'er this trackless way.

\* \* \* \* \*

Though prudence wills the hoarding of our store,  
 To keep, at last, the lean wolf from the door;  
 What! though provisions (not we) run a-ground,  
 If mental fare among us doth abound!  
 So long as there be wherewithal to dine,  
 At hardest fare 'twere folly to repine.  
 And who, when others' only food is air,  
 Would not forego some portion of his share?

Besides, why fear an unappeasing meal—  
 Is there not left some tender, choice\* bull-veal?  
 To eke out which, will not our host provide  
 The corn in cargo, till that source be dried?  
 Let all, then, zealously their wits combine,  
 And yield due homage to the sacred Nine.  
 Let each contribute to the common weal,  
 Arouse his thoughts and write as he may feel.  
 For whilst fair Gazelles on our efforts smile,  
 It us behoves their lone hours to beguile.

\*        \*        \*        \*        \*  
 May winds, propitious to our wishes, urge  
 Our gallant vessel through the foaming surge;  
 And no fresh mishaps further tend to baulk  
 Our hopes of landing in far-famed New York!

Naturally feeling anxious to quit the ship the moment I was able, I gladly accepted, in conjunction with several of my companions, the offer made to us by the pilot, to convey us to New York on board his schooner, he himself, however, of course remaining with the packet. But so far from gaining by our impatience, we had well nigh paid dear for it; and it was quite evident, that our old element was unwilling to

\* In a facetious assimilation of the inmates of the cabin *dens*, as they were termed, to the animals of a wandering menagerie, one gentleman, from his peculiar appearance, had been designated the "bull-calf." The appellation given to the ladies was that of the "Gazelles."

part with us on the easy terms we had proposed.

By incessant tacking, and keeping close inshore, we contrived to make some little progress; but a sea at length struck our fragile craft, which made her quiver to her very centre, half filled her with water, blew her every sail to ribands, and hurled the helmsman from his post. Her flush-deck, carrying it off quickly, alone saved her from sinking beneath the weight of water with which she was oppressed. We were at this time about ten miles below the city.

“Gentlemen,” said the skipper, looking down into the confined space where we were huddled like so many half-drowned rats, “I guess this won’t answer; I can’t attempt to proceed further, and must lie to; but if, instead of remaining on board for an uncertain period, you like to try the *chance* of getting ashore in the yawl, I will have it launched.”

Bad as was the alternative, we unanimously assented to the proposal, and the first boatload departed through a raging surf, for the

only practicable place of landing, which was a wooden jetty, projecting some distance into the bay ; the shore itself being too ice-bound to admit of a boat approaching it.

The rest followed in parties of two and three, scrambling with difficulty along the narrow jetty, the surface of which was covered with a coat of ice, and over this the waves were incessantly breaking ; but we all ultimately gained the land in safety.

Buffetted by a pitiless hail-storm, and wading through the deep snow which lay upon the ground, we made for, and successively reached, a house of entertainment about half-a-mile distant. The vanguard had already secured some rough means of conveyance to New York, whither the whole party forthwith proceeded, with the exception of one individual, an intelligent respectable American gentleman, and myself, both of us preferring to remain for the present where we were.

Inquiring for the landlord, we were ushered into the presence of a middle-aged, beetle-browed man, who was pacing up and down the room in

which we found him, and who, immediately on hearing we were from the packet-ship below, without in the least heeding our request to be provided with accommodation, abruptly accosted me with the unlooked-for question—

“Pray now, what’s the price of cotton?”

“Cotton!” I replied, somewhat annoyed at the man’s utter disregard of our pitiable condition, but amused withal at the strangeness of the association;—“all, my friend, that I know about cotton is, that I have not a dry thread of it upon me, and if you will have the goodness to sell me a pair of stockings of that, or any other texture, I shall be very much obliged to you.”—My interlocutor regarded me with a look of unfeigned astonishment at the profundity of my ignorance, and the presumption of my request; resumed his former promenade, and left us, with the utmost *nonchalance*, to shift for ourselves.

“Pleasant landlord,” whispered I to my companion.

“Very,” replied he.

“I hope,” I said, “he does not present a fair specimen of the Bonifaces of your country?”

“By no means,” was the rejoinder; “you will find them very different at New York: but leave me to deal with him; we must humour him, or shall get nothing.”

By a brief recital of our misfortunes, my companion so far thawed our host’s inhumanity, as to induce him to have set before us a comfortable substantial meal, to which, having first dried our saturated garments, it may readily be imagined that we did ample justice, after our long abstinence from any thing like wholesome food.

The next point was to get to rest, but here another contest arose; the landlord, to save himself trouble, though fully intending to charge us the highest prices, signifying his intention to quarter us not only in the same dormitory, but also in the same bed, a practice by no means uncommon in the States.

This we both stoutly resisted, declaring our intention to adopt in preference, the alternative of passing the night by the stove; so that, finding us inflexible, he at length agreed, though with a very ill grace, to accommodate us with



separate rooms. It was not, however, to his after sense of propriety that we were indebted for this assent, but to his American pride, my companion having hazarded the observation that I was a *stranger*, unaccustomed to the usages of the country.

They alone who have been in situations such as I have described, can appreciate the feeling of exquisite delight which is experienced on again reposing in a bed on shore; but, for my own part, I would not willingly incur the long privation for the sake of contrasting it with the after enjoyment.

Throughout the night in question and the whole of the day following, which chanced to be Sunday, the storm raged with unabated fury, causing my companion and myself to feel the most intense anxiety for the fate of the ship and those we had left on board her: nor was that anxiety relieved until late on the succeeding Monday, when, on reaching New York, we found her in port, where she had but just arrived in tow of a steamer.

We then learned that, in fulfilment of our

apprehensions, the ship had been in the most imminent peril, having dragged her anchors nearly three miles, and narrowly escaped being driven out to sea, with only one meal's provision on board, which had been supplied by the schooner before we left. Her owners and the New York public had given her up for lost, the more particularly as one or two packet ships, which had left England full a month after her, had reached their destination some days before she made her appearance.

Hail, glorious steam ! The beneficial change which thou hast already wrought in trans-Atlantic navigation entitles thee to universal reverence. Would that, in my voyage out I had met, as I chanced to do a few months since when homeward-bound, one of the Leviathans which thou now propeldest across that wide waste of waters ! I would have betaken me to thy embrace, and done thee ever after homage for thy timely presence ; but thou wert then unknown to wanderers o'er the Atlantic's space, henceforth thine own domain !

On the occasion of the meeting to which I

have alluded, it was beautiful to see the majestic steam-ship overhaul us at pleasure, in a light wind, and the nicety of her movements as she gradually narrowed the distance between us.

The whole scene was singularly impressive. The day was fine, the water not too rough; a brig which *we* had overhauled was sailing alongside in company, when presently up came the snorting steam-ship, which, in glorious independence both of wind and tide, ran close to either vessel in rapid succession, and, having briefly interchanged communications with each, finally shot across our bows, and, at the expiration of an hour, was lost to sight; the long streak of her smoke on the verge of the horizon, now seen as much a-head of us as an hour before it had appeared astern, alone revealing that in the middle of the Atlantic science reigned triumphant.

With reference to what precedes this episode, should any of my old fellow-passengers chance to see my feeble attempt to portray our adventures, they will recognize the picture as a faithful one, however they may deem it in other respects susceptible of improvement.

## CHAPTER II.

**Journey from New York to Canada.—Winter Travelling.  
—Adventures by the way.—American Coachmanship.  
—Aspect of Lower Canada.**

**AFTER** remaining in New York a sufficient time to recruit and transact some necessary business, I started, about the middle of February, on my way to Montreal, in company with an English party bound for the same destination, two of which consisted of a young newly-married couple.

And here, let me premise that winter travelling in North America is no pastime, as your bones will surely testify after you have journeyed some fifty miles; nor is it without its share of perils.

It took us on this occasion, full ten days to reach Montreal, though the distance from New York thence is something under four hundred miles.

The journey to Poughkeepsie, or “Kipsy,”

as the Americans call it, by way of elision, a small neat town, situated mid-way between New York and Albany, was performed on wheels, and we sleighed thence up the frozen Hudson to the latter city, against a piercing north-wester, which both driver and horses had the utmost difficulty in stemming. So regular a road had been formed along the ice, that at various places we found, much to our satisfaction, a hut erected, the interior thereof being well heated by means of a stove, and exhibiting an array of bottles, containing wherewithal to warm also the stomach of the traveller. This was a striking illustration of Yankee enterprise that could not fail to rivet one's attention.

From New York to Poughkeepsie a considerable portion of the road winds over the Fish-kill Mountains, forming a series of alternate ascents and declivities, and frequently overhanging precipices, the space between the edges of which and the wheels of the vehicle is sometimes barely a foot wide. Such roads, though bad enough at all times, are rendered next to impassable during the winter months, by floods and other

casualties, while the evil is increased by an utter disregard to the improvement of their condition, owing to the Hudson serving as the great northern highway for travelling during three-fourths of the year.

Down such declivities as I have mentioned rather than described, the horses of our conveyance would be propelled at the top of their speed, with the usual reckless daring of Yankee drivers, as though to compensate for the delay of the previous wearisome ascent; but in many cases because, paradoxical as it may seem, a slow descent would have been far less safe. It was surprising to see the skill with which the animals were guided, when the least diverging, either of them or the vehicle, to the right or left of the crumbling narrow road-way, would have hurled us to destruction. Being seated on the box, which station I selected to obtain an unobstructed view of the magnificent wintry scene exhibited around me, now catching glimpses of the partially ice-bound Hudson, now losing all traces of its track, I had ample opportunities of judging for myself of the pro-

ceedings of those to whom our safety was entrusted.

One of these knights of the whip, a smart, dashing person, who proved to be the owner of the team of fine white horses he was driving, exhibited such consummate coachmanship, at a very dangerous and intricate pass, that I could not help complimenting him on his dexterity, assuring him of my conscientious belief that no coachman in my country would dare attempt a feat similar to that he had achieved.

This effectually wound me into his good graces; but I had some reason to repent my candour, since, whenever afterwards he had the opportunity of proving himself, as he conjectured, worthy of my commendation, he would give each of his horses a knowing touch, grasp his reins with a steadier hand, compress his lips, plant himself firmly in his seat, and hurry on his former wild career; eyeing me askance, with a smile of humour upon his countenance, at the conclusion of every such performance, as much as to say, "There, stranger, what do you think of that?"

I did not care to tell him what I thought ; but if truth must be revealed, he was fast bringing me to the conclusion, that I had escaped from Scylla only to fall into Charybdis ; and was inducing me to draw involuntary comparisons between the wide sea-room of the Atlantic Ocean, (had as I thought the situation at the time) and the narrow space of my present " whereabout," very much to the disparagement of the latter.

We resumed sleighing from Albany, but, the roads not being at all times adapted to it, we proceeded very slowly, suffering much from cold, and the violent jerking induced by the inequalities of the track.

At day-break one bleak morning, the vehicle suddenly stopped in the midst of a wild desolate-looking country, and the driver, opening the door, " guessed " that some one must come to his assistance, as one of his horses had dropped upon the road, and he could neither raise nor disentangle him.

I immediately volunteered my services, and, on alighting, found the poor animal in its last agonies, evidently the effect of being over-driven ;



a result at which but little surprise need be felt, considering that he had completed a stage of about twenty-four miles. The driver, however, thought differently ; railed at the defunct, as a lazy "*crittur*," and declared, that there was *never* any work to be got out of him.

I reminded him that, however this might have been, his working days were now clearly over, and that judging by appearances, the remaining trio were not very far distant from the same goal; thus effectually refuting the imputation cast upon their fallen companion.

To this there was no answer, and his sophism was apparent to himself. The dead horse being, after some difficulty, disentangled, was left upon the road, and the other jaded creatures had yet to drag us nearly four miles before they could be relieved ; but there was no help for it, and they were goaded forward. Getting into conversation with the driver (by whose side I had seated myself, in anticipation of a further demand for my services, but which did not, happily, occur), I represented to him the inhumanity of driving horses with such a heavy draught so

long a distance, and suggested, that it would be greater economy in the end to work them less at a stretch, as their lives would be prolonged : I was well aware, that any argument involving a question of gain, was the best to use with an American.

He pondered some time, and at length quaintly demanded, " Who's fault's that, *mister* ; the owner's or the driver's ? "

" Oh ! the owner's, of course," I rejoined.

" Well, stranger," he said, " I guess you're right ; we *do* drive 'em *tarnation inhuman*, that's a fact."

On the evening of the fifth day we reached the neat, quiet town of Burlington, the capital of the state of Vermont, and situated at the head of Lake Champlain, then completely frozen over. Here we halted for the night ; starting at day-break the next morning, in the course of which we met with two adventures, which are well worthy of relation.

The snow had fallen heavily during the night, so that our driver, who proved besides to be a novice, after proceeding a few miles, became

bewildered, wandered from the main road, and finally upset the vehicle, heavily laden with passengers and luggage, down the side of a steep declivity, where it lay flat upon its side; but the dead-weight had the good effect of bringing the horses to a stand still.

We escaped with a few severe bruises, with the exception of an American lady, who, being on the leeward side, had her face severely cut, though what concerned her most was the destruction of a new bonnet of some gay colour, which, for greater security forsooth, she had been carrying on her lap. She cried and lamented bitterly; not so our little countrywoman, who behaved like a heroine; and when her first natural alarm for her own and her husband's safety had subsided, laughed heartily at our misadventure.

Being uppermost, I had the advantage of the party, and having crept through the open space above me, I perched myself astride it, and proceeded to assist my companions. The first I *fished* up was the English lady, who emerged from her prison-house shoeless, so that, before I could aid the rest, I had to devise the means of disposing

of her. To this end, disentangling a couple of buffalo hides, and, spreading one of them on the snow, I placed her upon it, and enveloped her in the other. Thus squatted, she resembled (with the exception of her visage) an Esquimaux, or the expiring Don Quixote, when he is represented by Quevedo, as placed in a sitting posture between two bucklers, with his head only peering forth, like that of a tortoise from betwixt its shells.

By disencumbering it of the luggage, the sleigh was once more righted, after an hour's labour; but before resuming our journey, the perpetrator of the mischief, who had stood aloof during our proceedings, came forward, and stating with much coolness that he was not accustomed to driving (an unnecessary acknowledgment, by the way), requested that some one among us would take the reins for him. Whereupon, a volunteer came forward, and drove us very well the remainder of the stage.

The second disaster we experienced, occurred a few hours afterwards, and had well nigh been attended with serious consequences to the ladies of the party and myself. The American drivers

have a very reprehensible habit of leaving their horses' heads unleashed when they stop to bait or change teams, and in the States there are no such persons as ostlers to stand sentry over them. On one of the latter occasions, we had all alighted with the exception of the two ladies, and were awaiting in the porch the exit of the driver from the house. The horses, which had just been put to and were very fresh (by no means a corollary in the States), finding themselves at liberty, became impatient, and presently bolted with the vehicle. Alarmed for the safety of the two females, and yielding to a natural impulse, I sprang forward, and by a great effort reached the near wheeler (if I may so designate a *sleigh-horse*), whose check-rein I seized just as the four animals were breaking into a gallop. Him, I speedily mastered, but, as ill-luck would have it, the driving-reins had been cast on the opposite side, and I found it impossible to gain either them or the near leader's head; so that after running till I was fairly spent, I was reluctantly compelled to cast myself off, and, seizing a favourable moment, threw myself into the deep

snow beyond the track, in order to avoid a salutation from the sharp runners of the vehicle, leaving the horses to continue their rapid flight, increased too as it had been by my abortive attempts to check them.

The behaviour of my countrywoman on this, as on the former occasion, was most praiseworthy, and the courage she displayed rendered still more conspicuous the want of it in the fair American.

So long as there remained a chance of my succeeding in my efforts, she retained her seat with the greatest coolness and self-possession, and I heard her encouraging her companion to do the same; but when, on finding that the case was hopeless, I exhorted her to spring into the deep snow, she at once boldly acted on my suggestion, and was speedily followed by the American, impelled by the example set her and the increased terror which came upon her at finding herself alone in such a situation. Both, fortunately, escaped without material injury, as did also the sleigh and horses, which were stopped, after a run of two miles, by some labourers who chanced

to be working on the road; and our effects were restored to us in safety.

When I got back to the inn, the driver, instead of thanking me for my exertions (fruitless though they had been) to repair the effects of his carelessness, contented himself with remarking: "I guess, mister, if you'd been more smart, you'd ha' jumped a top o' that ere animal" (the horses were *only* at the top of their speed, and I, heavily clad, floundering in the deep snow). "I guess," I replied, "you had better have tried that experiment yourself, since you think it so easy." In fact, it is to be doubted if even Ducrow himself could have performed such a feat of agility.

But upsets and runaways are too common in the States, to be associated in the minds of the people with ideas of danger, and the accidents arising from them are treated with much levity.

The Canadians are not much better; and I remember being told of a case of negligence which once occurred somewhere on the road between Montreal and Kingston, whereby the lives

of nine or ten stage passengers were all but sacrificed. The horses had been left, as usual, unleashed at some halting place, had started off, run a considerable distance, and the passengers, unaware of their danger (the leathern curtains of the sleigh being closely drawn to keep out the cold), were only awakened to a sense of it, by suddenly hearing the crashing of ice, and finding themselves floundering in deep water. They escaped with the utmost difficulty, and the horses, I believe, were drowned.

I mention these occurrences less from any interest now attaching to them, than that they may serve to put upon their guard those of my fellow-countrymen who may have occasion to travel through the northern parts of the North American Continent in the winter season. When the navigation is open the case is different, and there are no greater dangers to be encountered than elsewhere.

The Canadian steam-boats are, however, much more pleasant and commodious than those of the States; the latter, besides, being generally crowded to excess, and though presenting a very



animated scene, nevertheless, a scrambling one by no means pleasant.

I must narrate a little incident which I once chanced to witness on board an American steamboat. We were just sitting down to a repast when a lady, exhausted by the combined effects of the jostling and scrambling incident to the occasion, and the heat of the weather, uttered a loud scream, and forthwith fainted away. All was again confusion, in the midst of which up stepped a young interesting-looking American female to direct operations, claiming a right to do so, on the ground that *she herself very often fainted*, and knew the proper remedies. Attention being diverted to her by this public announcement, she seemed about to enter on a learned disquisition respecting the philosophy of syncope, accompanied by illustrations in her own person, when her design was frustrated by some one suggesting that the patient had better be carried up stairs into the fresh air, a simple and effectual remedy which the fair lecturess seemed to have entirely overlooked. It is so unusual for American ladies to put themselves

thus prominently forward, that one could not help being struck with the love of display conspicuously manifested on this occasion. The lady in question had already been holding forth on deck, with much apparent eloquence, on various erudite subjects, and clearly belonged to the sisterhood of blues.

But to conclude my journey. At one part of it, we had taken up, as a transient passenger, a young American woman of the middling class, who after she had sat some time in silence, eyeing our party with much apparent curiosity, suddenly accosted one of them with the observation—

“I guess, stranger, that’s a very nice shawl you’ve got,” (meaning a large merino travelling shawl which he wore.)

“I am glad you like it, Miss,” was the answer; “your judgment proves my taste.”

“Would you let me look at it?”

“Certainly.” Whereupon, the party disentangling it from his neck, placed it in the fair one’s hands.

Having spread it, and satisfied her curiosity

as to its quality and texture, she observed, that it was very much like one belonging to her mother !

The owner of course expressed himself as much honoured by the coincidence.

“ You wouldn’t like to part with it now, would ye ? ” was the next inquiry.

“ I guess not ; I am going to Canada, and should feel the want of it.”

“ Well, now, *what* are you going to that cold place for ? you’d better stay in our fine country, that’s a fact.”

The gentleman availed himself of this opportune turn in the conversation to divert the attack upon his shawl, which might otherwise have ended in the usual proposal to barter, so pleasantly illustrated by Captain Marryatt.

It is startling to one accustomed to the sort of religious reverence with which the mail-bag is regarded throughout England, to witness the utter disrespect with which it is treated in America, being there a sort of foot-ball both for passengers and drivers, and never allowed to interfere with their convenience.

If there be a mail-bag to deliver of which the place of consignment chance to lie a little out of the line of route, the driver will content himself, in nine cases out of ten, with depositing it by the way-side, and, winding his horn to signify his having done so, proceed on his journey, without troubling himself any further about the matter.

I have myself seen this; while, on one occasion, I remember, the driver, suddenly discovering that one of his mail-bags was missing, "guessed" that the "tarnation bag" must have been dropped on the way, and "calculated" he must have the trouble of going back to look for it. For a wonder he did so, and sure enough, after retracing our steps about a mile, there lay the cause of his retrogradation.

Generally speaking, I think that there exists in the States less desire to pilfer than in most other countries; partly, no doubt, because there is less general want on the part of the community, and, consequently, less temptation to be dishonest, and partly because there prevails amongst them a greater degree of pride and self-respect. A striking illustration of this remark came

within my own experience. I had dropped, unconsciously, in a vehicle, in the process of alighting from it, my pocket-book containing a considerable sum of money. Whilst the passengers were seated at dinner, the driver appeared with the pocket-book in his hand, and inquired if any one of us owned it. My right to it was soon established, and the finder, of course, rewarded for his conduct, though I had great difficulty in inducing him to accept any thing. Had he chosen, as he might readily have done without the fear of detection, to appropriate the money to his own use, my embarrassment would have been great in the extreme; for, until I could have obtained a remittance from my friends, I should have been left wholly without the means to prosecute my journey.

Traits of this character deserve to be recorded whensoever they present themselves, since, unfortunately, they are of very rare occurrence.

About the eighth day of our journey, we entered Lower Canada, reaching the village of St. John's at midnight, all but frozen.

After leaving Albany, the traveller is gradually

made sensible of his approach to the regions of the north, by the increasing chilliness of the atmosphere around him, as it becomes more rarified; and is right glad to aid his natural caloric by adding to his already warm clothing.

We had long passed the imaginary boundary-line, ostensibly separating the two countries, before we ascertained that we were on Canadian soil, being first enlightened to the fact by the novel sound of the French language, and a difference of appearance in our driver, who was now clad in the not unpicturesque Canadian costume, consisting of a grey great-coat, with a sharp-pointed hood thrown over the head, trousers of the same material, a crimson sash round the waist, stocking-boots with red turn-over tops, and, finally, a pair of fur gloves.

This is the general dress of the male peasantry, or *habitans* as they are termed, though their appearance is in general much less gay than that of the class of persons of whom our Jehu was a specimen.

The cloth whereof their outer garments are made, is for the most part home-spun, and is,

in such cases, held in high estimation by the wearers.

The garb of the female peasantry has nothing characteristic about it, with the exception of the fur bonnet, but exhibits the same tastelessness as the attire of corresponding classes in England.

The permanent impressions, of whatsoever tendency, which are left upon the mind on our first visiting a foreign land, are not unfrequently influenced, though, perhaps insensibly to ourselves, by the time and circumstances under which that visit may be made. For these reasons, I would counsel, on the strength of my own experience, all those who, unacquainted with Canada, may design to visit it, not to do so in the winter season if they can possibly avoid it.

A snow-storm in the wilds of Canada, can alone find a parallel for the intensity of its desolation in a winter hurricane on the Atlantic, or a whirlwind, with its accompanying sand-drift, on the great desert of Zahara, and equally with them is it to be dreaded.

We were weather-bound at St. John's during the next twenty-four hours, a heavy fall of snow

having succeeded the fine clear weather which had preceded our arrival. Our impatience to get forward induced us to make several attempts to penetrate to Laprairie, distant some twenty miles, but they proved unavailing ; and we were fain to retrace our steps, after being twice or thrice dug out from a deep drift, in which sleigh, passengers, and horses were nearly buried.

On the ensuing day, a road having been formed, we again started, and were this time more fortunate ; reaching without accident, though tardily, the banks of the St. Lawrence, which now lay before us in all the desolation of its wintry grandeur.

Viewed from Laprairie, you have some difficulty in conceiving that water rolls beneath the noble river's white expanse, and still less that water ever held, or could hold, the place of that snow-covered domain. In this respect, you might indeed almost be pardoned for indulging in the scepticism of the Turk or the Hindoo (I forget of which the story is told), who had equal difficulty in understanding that ice could be



formed out of water, even though the fact was illustrated to him by artificial means.

The width of the angle which intervenes between Laprairie and Montreal, is between seven and eight miles. Seen in the distance, with the sun shining brightly on its tin roofs, Montreal has a pleasing appearance, and at the season of which I now speak, it fairly bore to me the semblance of an Oasis in the desert.

To one unaccustomed to the performance, it is a somewhat nervous operation to cross in a vehicle on the ice, so wide an expanse as the St. Lawrence; particularly when, attaining midway, you regard the space, whether before or behind you, which separates you from the land, and hear the ringing, if not cracking, beneath the horses' feet, of the frozen surface you are traversing, long-reverberated, too, as is the hollow sound in the distance.

On the occasion of which I speak, our crossing was rendered more than usually tedious and painful by the combined influence of bad horses, and the inequalities of the track, which, from the lateness of the season, had been worn down

into a complete series of undulations, forming what the French Canadians term *cahots*, and causing our vehicle to rebound from one alternate convex point to the other, with an effect upon us somewhat resembling that produced by the passage of a vessel through a rough short sea.

The sleigh, with its entire cargo, must have contained a burden of not much less than a ton in weight, and was drawn by a *trio* of horses, driven *tandem-fashion*, the leader of which would frequently turn short round, causing a general entanglement, and look us ruefully in the face, as though in tacit reproach of our obstinacy in urging him forward on a road-way so precarious.

Nevertheless, we reached the northern bank in safety, despite of even the driver's expectation, and were at length, to my extreme satisfaction, comfortably housed in Montreal.

### CHAPTER III.

Comparison of Montreal and Quebec.—Quebec Cathedral.—General Description of Lower Canada.—State of Society.—French Canadians.—Town and Rural Population.—Insurrections of 1837 and 1838.—Influence of the Priesthood.—Amusing Anecdote of a Parish Pastor.—Political Reflections.

MONTREAL and Quebec have been too often and too well described to require further illustration ; nevertheless, a passing observation in regard to them may not here be out of place.

The more ancient parts of either city much resemble many of the old provincial towns of France ; the modern parts, on the contrary, partaking more of an English style and character, in the greater width and cleanliness of the streets, and better construction as well as more comfortable aspect of the houses.

The majority of the streets, however, as well of Montreal as of Quebec, are dark, gloomy, and narrow ; much of their *sombre* effect arising

from the dark-grey stone whereof the houses and edifices are built. The glittering tin roofs by which these are surmounted, afford some little relief to the general monotony ; but the effect which they produce upon the eye when the sun is shining brightly on them, is very distressing, and when thereto is added the reflexion of the solar rays from the snow, the sight has to undergo a trying ordeal.

A very scenic effect is produced by the agency of these tin roofs, if a fire (as is frequently the case) chance to take place at night in the winter season. Their glitter, in combination with the lurid glare of the flames, relieved by the surrounding snow, and a clear blue moon-lit sky, completes a *tableau* perfectly *unique*, such as it is well worth your while, how cold soever may be the temperature, to start from your bed to witness.

But, in Montreal, there are two special practices, which serve to disturb you in your bed without offering you any inducement to quit it, and break your rest for nothing.

The first is the incessant clamour of a bell, swinging in an old isolated turret, near the Ca-

tholic cathedral, the *nugæ canoræ*, of which, while serving to summon the faithful to their devotions, inflict a purgatorial punishment on all other hearers.

The second practice is incident to the occasion of a widow or widower being rash enough to re-enter the state of matrimony. When the fact becomes known, the young men of the town, disguising themselves in masks and the most grotesque attire, proceed on horseback, in large parties, to the dwelling of the happy couple, which they encompass, and forthwith greet its inmates and the whole neighbourhood with the most hideous noises produced by the agency of all sorts of instruments of discord.

This superior sort of marrow-bones-and-cleaver performance is termed a *charivari*, and takes place at all hours of the night. It has for its object the levying of a pecuniary tax on the victims it selects, to be applied to some charitable purpose. If the parties come forward voluntarily and liberally they are exempt from further annoyance, but otherwise they are subjected to an indefinite repetition of the serenade,

at the will of their tormentors, who eventually succeed, in nine cases out of ten, in exacting the required tribute. Serious rows have sometimes resulted from these nocturnal celebrations, and the interposition of the authorities has occasionally been necessary.

The practice, I believe, is a corruption of an old French local custom, on the occasion of second marriages, when (as I have understood) the bride and bridegroom were compelled to keep open house for a certain number of days, and to feast, *ad libitum*, all comers of their own sphere of life.

The signs of progression and of stationary habits are no where more strikingly conspicuous than at Quebec and Montreal ; and no where, perhaps, are domestic contrasts of almost every kind exhibited in more varied shapes.

Side by side are seen the modern commercial store and the ancient secluded convent. Here appears the harbour enlivened by an array of British shipping ; there, the lingering remnants of primitive inactive life. Jostling each other on the narrow causeway, or grouped in the wider square

or market-place are the red-coated soldier of England and the cowed priest of France; the antiquated *habitant* of the country in his homespun suit of grey, and the spruce denizen of the town attired in the latest European fashion; the swarthy Aborigine of the soil, enveloped in his blanket, with his squaw carrying her *papoose* at her back (the little creature not *always* exhibiting in lineament a purity of race), and the British artisan or labourer in his peculiar garb; while, to crown the whole, the alternate sound of two conflicting languages, breaking on your ear at every step you take, leaves you momentarily undecided as to whether you be not in some provincial town of France or England; the first impression, moreover, being strengthened by the general appearance of the streets and houses; and the last, by the British designation of many of the thoroughfares and the preponderance of British names along their line of frontage.

Upon the whole, and notwithstanding the greater severity of climate, I should give the preference to Quebec, over Montreal, as a place of fixed residence; though, in a positive sense,

neither city holds out any allurements to a person who has been accustomed to a metropolitan life in Europe ; and as to means of intellectual enjoyment, there are few or none.

The general tone of society is decidedly higher at Quebec than at Montreal: a fact which may probably be accounted for, by the former having been so long the seat of government, and the great military station ; as also, perhaps, in some measure, by the circumstance that a more remote position has caused the habits and manners of the people to be less imbued with the characteristic roughness of the neighbouring Republicans.

This taint becomes, indeed, more sensibly apparent in proportion as you advance up the country from Montreal ; and by the time you reach Upper Canada, you may not, in respect of language and behaviour, unaptly fancy yourself as being within the confines of the States. Let any one, for instance, who has had the misfortune to sojourn for a day at Cornwall, or at Prescott, say if I be not borne out in this conclusion ; while in various parts of the country



you hear just as much "guessing," "calculating," and "howing," (the execrable interrogation for what) and encounter just as much expectation, and other repulsive habits, as you can possibly meet with in the New England States themselves.

Next to the Cape and Citadel, the object at Quebec which most fixed my attention was the Catholic Cathedral on the market-place, or rather I should say the interior of it; the compactness and style of which I thought infinitely superior to its more aspiring rival at Montreal. The gilded roof and ornaments within the Quebec Cathedral, combined with the general antique appearance which pervades the whole interior, imparted to the scene when I visited it, towards the close of a fine autumnal day, an effect which an artist would have been delighted to reproduce on canvas. There was about the place a refinement, an unpretending sanctity, a subdued tone of piety, forming a combination, though wholly undefinable, yet appealing at once to the feelings and inducing involuntary meditation. On the occasion mentioned, propriety

was not outraged by extortionate demands for the privilege of seeing what every one possesses an inherent right to see, the enforcement of which tribute at the shrine of mammon forms, in exclusive England, a feature of such hideous prominence; but ingress to the Cathedral was quite as free and unimpeded as at any of the sacred edifices of continental Europe.

For some miles below Quebec the country is extremely picturesque, but further on, it becomes, though majestically grand, rude, wild, and barren; exhibiting a series of bold precipitous rocks, rapid torrents, and uncultivated plains; and offering, in fact, few or no attractions to the settler, or even to the tourist. The beautiful Falls of Montmorenci, about nine miles below the city, are a constant object of attraction to the inhabitants of Quebec; pic-nic parties in the summer, and sleighing parties in the winter, being frequently formed to visit them.

Between Quebec and Montreal, the scenery itself along both lines of parallel, exhibits nothing of a particular character, the country being almost one continuous flat, the general mono-

tony whereof is relieved only at wide intervals on the south shore, by the outlines of a few widely scattered mountains seen dimly in the distance. Nevertheless, the almost unbroken line of villages fringing either side of the St. Lawrence, almost down to the water's edge, is not without its charm, and lends a grace to the noble stream, fully equal in its kind to that imparted to the Rhine by its castellated towers; to the Thames by the sweet domesticity of its scenery and villas; or to the Hudson by its majestic highlands—its gorgeous array of wooded banks and variegated foliage.

To a stranger unacquainted with the stationary, unimproving habits of the French Canadian peasantry, the appearance of these neat looking villages would indicate a much more advanced stage of progress than in reality exists; while the fact is that, for the most part, they are but the screen to a comparatively empty space beyond, extending as they do only a very little way inland. This is especially the case on both shores upwards, as far as the confluence on the southern side, of the waters of the Richelieu with those of the St. Lawrence; when the two

streams, diverging from each other, in the same manner that water is seen to separate when striking on a point, leave between them a gradually increasing triangular space of very considerable dimensions at the base, which is probably the best cultivated part of Lower Canada, and forms indeed its granary. Almost every village, or settlement, within this district bears a saintly appellation; but the patrons or patronesses seemingly exercise, in one sense, but little salutary influence over the minds of their devotees, who are as notoriously fertile of disaffection as is of grain (despite of a barbarous mode of husbandry) the soil they cultivate.

North of Montreal, and extending to the lake of the two mountains, the country is tolerably well cultivated, as it is also from Montreal upwards to the borders of Upper Canada; and the scenery, when divested of its wintry dress (which qualification must be considered as of general application to any descriptions I may attempt), is in some parts very striking and picturesque, though quite dissimilar in character to the European style.

Scattered throughout the settled districts, are farmers of British origin, who have gradually introduced the most improved methods of cultivating their lands, which may at once be readily distinguished from those of their French Canadian brethren by their very superior degree of fertility and general condition. In some few cases, the French Canadians have followed the good example set them, but they are too much the slaves of prejudice and habit to persevere in such imitations. Formerly, I am told, the French Canadian farmers were in the habit of throwing the dung yielded by their cattle into the river, instead of using it as manure, and many of them continue the practice to the present day.

The country surrounding Montreal, and extending far beyond the confines of the island, when seen on a fine day from the summit of the high mountain just behind the city, and from which the latter takes its name, presents a *tableau* which would be unsurpassed, both in loveliness and grandeur, were it only diversified by hill and mountain, of both of which

it is wholly devoid. Here, you see the noble St. Lawrence, winding majestically amidst its numerous, deep-wooded islands; there, its worthy tributary, the Ottawa, half-encircling in its embrace the fair island, on whose highest point you stand; beneath you, the populous city with its tin roofs glittering in the sun; before, behind, and around you, as far as the eye can reach, fields teeming with verdure and vegetable life, the whole agreeably interspersed with rural villages and hamlets.

Yet how sadly has this smiling picture of peace and plenty been marred on two occasions by the headstrong folly and perversion of those who were insensible to the manifold blessings they were in effect enjoying! Free from taxation; unrestricted in their religious worship; devoid of those cares and anxieties which weigh down the European peasant; and reaping, in fine, the full fruit of their industry; to the full extent the antiquated laws of their blind idolatry will permit.

I know of no condition of life, where mere animal comfort constitutes the desideratum, more en-

via ble than that uniformly enjoyed by the French Canadian peasantry until they mistook their position and gave the rein to the latent passions which had been insidiously awakened in them ; and a close observer of their condition would at once have been struck with the conviction, that if they lacked any portion of happiness or prosperity, the cause lay entirely in their own want of energy, and not in any oppression practised towards them by their rulers.

Arriving in Canada with only the average stock of knowledge in regard to the country and its inhabitants, which the generality of Englishmen possess, I had much to learn before I could attempt to form judgments upon points that invited my attention. I was aware that dissensions of some standing among its inhabitants had had the effect of arresting its prosperity, by impeding the development of its natural resources ; but I had yet to discover the *precise* nature of those dissensions ; their proximate or remote causes, and the incentives or secondary causes which contributed to perpetuate their existence.

The result of my inquiry, undertaken from

a spirit of curiosity and a habit of investigation, rather than from any specially defined object at the time, was to trace, at a very early period, the discord which I witnessed to a single source ; that source being no other than, what a far abler pen than mine has emphatically described it, the collision of two distinctive races of people.

This discovery filled me with the greater regret, because on a *primâ facie* view, it seemed to preclude the expectation that the evil, after so long a growth, could be remedied otherwise than by measures of coercion, which, however justifiable they might be, would not the less bear the outward semblance of oppression. I soon further ascertained, that the line of demarcation which separated the British and French portions of the population, was not merely political in its character, but that it involved as complete a severment of all social relations between the two parties as could possibly be defined.

I was grieved at the last consideration on my own account ; for having passed some years of my life in France, and imbibed a sort of predilection for good French society, I had antici-



pated much pleasure from again mixing in it, even at second-hand ; conceiving, as I did, and not unnaturally, that the better classes of the French Canadians, however they might lack the polish and refinement of European members of their race, would be at least free from many of their prevailing vices, and would exhibit, as a consequence of a more primitive condition, some of the better qualities which characterized the French of the olden time.

I found, however, that the French Canadian inhabitants of the towns, taken as a body, were very far from answering to my *beau idéal*. It was not difficult to see that the minds of far too many of them, the rising male generation in particular, were impregnated with the most vicious principles, unredeemed by such virtues as could alone counteract their effects, nor to perceive that these were daily acquiring strength.

Though the cause at first appeared ambiguous, this circumstance was in a great measure satisfactorily explained to my mind, when I learned that the majority of the young men, designed by their parents for professions, were sent to France

to complete their education ; and that the study of English, as compared with French literature, occupied but a very slender portion either of their time or their attention. I should be sorry to be understood as reflecting, by implication, in the foregoing remarks, on the seminary at Montreal, since I believe that institution to be, though susceptible of much beneficial remodeling, a very commendable one; and I have witnessed examinations within its walls which would have done credit to many European establishments of a higher standing.

Had proper measures been taken at the conquest of the colony, to insure in it the supremacy of the English language—a measure which would have been rendered justifiable, by the fact of the French inhabitants becoming thenceforth British subjects—the result, we may be well assured, would have been widely different.

The influence of language upon mind—of mind upon habit—of habit upon conduct—needs no illustration. A variety of harmless means might have been devised for disseminating the use of the English tongue among the great body

of the people, so as to cause it imperceptibly, but surely, to supersede in time the prevailing idiom. But what do we see at the expiration of eighty years' occupancy of the country? A partial knowledge of the English language, confined almost exclusively to the French Canadians of the towns, and the great mass of the *habitans* unable, in nine cases out of ten, to understand you if you address them in it!

The employment of the English language in all judicial, legislative, and executive proceedings, and in all public records; the establishment of schools, elementary and normal, wherein it should be taught to the rising generation; the gratuitous distribution of English elementary books; the frequent introduction of British Catholics among the priesthood; and, in fine, the institution of premiums for proficiency, would have formed, conjointly, a combination of means highly conducive to the attainment of the end in question.

Who that is alike conversant with the two idioms, will venture to gainsay the assertion, that since the period of the first French Revolution,

the literature of England, defective though in many respects it be, is immeasurably superior to the contemporaneous literature of France, not only in its degree, variety, and general merits, but, above all, in point of moral tone, correct sentiment, and genuineness of feeling?

Let us suppose then, as the result of the course of proceeding herein-before suggested, the French Canadian population to have been imbued during the last fifty years with such a literature as that just mentioned, in lieu of the one, its very opposite, they have in effect cherished: is it hazardous too much to say, that we should have found them in regard to moral culture, and hence in regard to a sense of moral duty, as affecting attachment to British institutions, a very different race of people? or that the substitution of the one course of study for the other, would have given *insensibly* to the general current of their thoughts an entirely new direction? Instead of seeing, as now, the mass of the French Canadian youth perusing with avidity the leveling doctrines, the false sentiment, the revolting depravity, the gross obscenity, which collectively

stain the pages of *so much* of the French literature of the age, we should have found them possessed of a taste for the more moral productions of the English school, and cultivating that taste with a similar degree of assiduity to that they now display in a less ennobling pursuit.

In this lamentable state of things, in a colony nominally British, but virtually the converse, we have another glaring instance of the general culpable neglect of England, in all that relates to the momentous question of popular education; a neglect which dims the lustre of her otherwise untarnished grandeur, and renders her almost a by-word among nations.

Were it not that neglect in this respect constitutes too general a feature in her conduct, we might not unnaturally conclude that the exhibition of it in Canada formed part and parcel of the short-sighted policy with which she has throughout acted towards that country; as though, in very truth, British statesmen, recoiling at the prospect of a remote democracy, should Canada contain an united people of British growth and origin, revelled in the hope of being

able to rear and to perpetuate, by the unnatural means employed, an effectual barrier to its progress !

The success of any well-digested scheme to Anglicise fundamentally the character of the French Canadians, had the attempt been made at an early period, when the materials to work upon were comparatively of a pliant nature, cannot now, with propriety, be doubted; how far, in the present desperate state of the case, any tardy endeavour to rectify the flagrant error that has been committed, and to regain lost vantage-ground, can prove effectual, is quite another question; but the attempt, at any rate, is still well worth making.

In all times and ages it has been the judicious policy of nations that have acquired fresh territory by conquest, to assimilate as much as possible to their own condition, the people whom they subjugated. By England alone, in the case of Lower Canada, has this wise precaution, of adopting, by degrees, a transferred race to their altered circumstances, been lost sight of; and the consequences are now beginning to be felt.

From the effects, either of the folly or the recklessness of British statesmen during a long series of years, the present tenure of Lower Canada admits of comparison with nothing else than the armed possession by England in former days, of one of her old hereditary provinces in France ; a tenure which exposed her sons to indiscriminate slaughter and expulsion, whensoever the subjugated native should have the opportunity of rising against them, taught as he had sedulously been, from his earliest years, to regard them not as fellow-subjects, but as the rank usurpers of his birthright, and his oppressors.

There was only this difference between the respective cases, that in France, neither from local circumstances nor by moral means, could any permanent amalgamation of the two races possibly be effected ; whereas, in Lower Canada, there was no such impediment to contend with, until England voluntarily placed herself in a false position, when she might have shaped at will the key-stone of a long-enduring arch of safety.

As regards the French Canadian rural popu-

lation generally, I would say, as the result of close personal observation of their character, that, *apart* from the *working* of the *inherited* feeling of national animosity to the British race, which rankles more or less deeply in the breasts of all, in common with their brethren of the towns, and which is hidden or betrayed, but never slumbers, just in proportion as it is acted upon by casual events, they are, in the main, an orderly, quiet, inoffensive set of people, who would not of themselves resort to violence, unless under circumstances of very extreme provocation; nor rush into mischief without very strong appeals being made to their latent prejudices and passions.

Though lamenting the degrading bigotry and superstition, inseparable from their state of ignorance, I have not been the less gratified at observing, in connection therewith, the extreme propriety of conduct and demeanour which characterizes them when congregated in their places of religious worship. I have, however, occasionally been much amused by the oddities of some of their rural pastors when holding forth



to them, in the vernacular, from the pulpit; and who, in their familiarity of style and diction, could not have been surpassed by any corresponding propounders of Catholicity to rural ears in even good old Ireland.

I remember, on one very hot Sunday afternoon, strolling into a village church, when the *prédicateur*, a little short punchy man, whose rubicund countenance, just peering from above the pulpit, exhibited every symptom of an inherent aversion to Lent, was holding forth with great vehemence and gesticulation, the perspiration running the while copiously down his cheeks.

Having concluded a long peroration, he was beginning a new sentence, commencing, "*Jésu Chree*," (Jésus Christ), "*mes enfans, vous savez*;" when observing the church-door to be open, which, besides admitting air, also admitted the noise of some urchins from without, he suddenly vociferated, "*Fermex cette porte là, que—*" From his manner I really apprehended he was going to add "*diable*," but he left the sentence unfinished, and resumed his discourse with "*Vous*

*savez, mes enfans, que Jésus Christ a voulu— a voulu, je vous dis.*” He had now, however, either from the interruption or the heat, or from the combination of both causes, quite lost the thread of his discourse, and could evidently proceed no further; whereupon, far from being abashed, he took out his snuff-box, still pronouncing, with a pause between almost every letter, the words “*Jésu Chree;*” helped himself to a lengthened pinch; deliberately raised his small black tonsor; wiped his reverend face and forehead, and exclaimed with the utmost simplicity of manner, looking very complacently around him, “*Il fait bien chaud, mes enfans.*” The whole scene was inexpressibly ludicrous. The perfect ease and *nonchalance* of the preacher; his strange appearance; the mixture of the holy with the profane; the singular conclusion; but, above all, the reiteration of the Saviour’s name in association with the snuff-box, so played in combination upon my risible propensities, that I was compelled, in the excess of my heresy, abruptly to quit the church, convulsed with inward laughter; though, to their credit, and to my shame, be

studies in France ; or, as is also very frequently the case, in the United States.

Allowance being made for some exceptions, the worst portion of the French Canadian peasantry is decidedly to be found along the south shore of the St. Lawrence, from Beauharnois downwards to Sorel, and between such length of shore and the south-east borders of the United States. Next in degree come those inhabiting the country within a deep semi-circle, encompassing three sides of Montreal. Lastly, between Montreal and Quebec, and below the latter city, are probably to be found the least contaminated of the French Canadian peasantry, an impression which is confirmed by the manner in which they conducted themselves throughout the respective insurrections; though, on the other hand, it could not be doubted, if appearances might be taken as an index, that had success on either occasion dawned upon the efforts of their brethren in arms, they would have thrown off the mask, and risen almost *en masse*.

With respect to the British part of the population of Lower Canada, it is of a very mixed

character, the prominent portion of it, however, being composed of persons who are engaged in commercial or trading pursuits; the agriculturists of British race are comparatively few, and are thinly scattered throughout the settled districts; hence their *extreme danger* in times of popular commotion arising out of national dissensions. The Eastern Townships, as they are termed, contain a population essentially British, though interspersed with some American settlers, who have been attracted thither by the superior fertility of the soil, and the improved mode of culture generally practised. Much of the beef consumed in Montreal is supplied from these Townships, and the adjacent State of Vermont, and it is of a far superior quality to that brought to market by the French Canadian farmers, who, in general, give themselves very little trouble about grazing, or improving their breed of cattle. Corn is the staple, to the raising of which they devote the greatest share of their attention, and Jean Baptiste\* is always well-content when (first amply

\* The *sobriquet* given to the French Canadians.

supplying his domestic wants) he can exchange it for *l'argent sonnante*, as he terms silver coin, large quantities of which (as paper money is his aversion), are annually substracted by him from circulation, to be hoarded as a heirloom, in old stockings, night-caps, or such-like purses, within the privacy of his dwelling.

The British population, with a few individual exceptions, necessarily pull together, because of their intuitive sense of a common danger, from their being environed by a foreign race, whose hostility to them is felt to be *in grain*, and who, on their part, are influenced by a somewhat similar feeling, though certainly without an equal cause of apprehension. But for these fears, inducing as they do a mutual repulsion of the respective bodies, and closely cementing in themselves the component elements of each, it is perhaps questionable whether the British population would not be divided into the same minute particles of party-difference that characterize their more wrangling brethren in the Upper Province. In their religious sectarianism, they are already pretty much alike, and

are equally prone to polemic strife on points of religious difference.

The first event worthy of notice that happened in Lower Canada after my arrival, was the suspension of specie payments by the banks, at the request of the community, in consequence of a similar general suspension throughout the United States, induced by the great commercial crisis which had taken place there. This measure, which circumstances rendered unavoidable, and which the necessity fully justified, being timely resorted to, proved, in a pecuniary sense, the salvation of the province, inasmuch as it enabled the banks to support the commercial community at a moment when they peculiarly stood in need of such assistance.

As I propose, however, to devote specially a few pages to the subject of banking in Canada, I shall reserve any further remarks upon it for a future chapter.

Throughout the summer and autumn of this eventful year, the public mind had been kept in an almost constant state of agitation and alarm, by the proceedings of the leaders of the

French Canadian party in various parts of the country, and an apprehension of imminent but indefinable danger, was beginning to be universally entertained. Impunity begetting confidence, meetings of the most treasonable character, which had been at first held secretly at midnight, were now held unconcealedly in open day. Public drills, in large bodies, next succeeded; and these were followed by weekly reviews, which generally took place on the morning of the Sabbath, after the hour of mass.

Throughout Lower Canada the Sabbath is indeed the grand day, even in peaceful times, with the French Canadians for the transaction of business of a public nature; and strange exhibitions take place at the church-door, where, as the congregations issue from the edifice, they are addressed by individuals charged with the duty of expounding to them the merits of sheriffs' sales, and public announcements of every kind.

The agitators of the period availed themselves of this ancient usage to address their willing auditories on the palatable topics of virulent abuse of the British government and people; praise of

the patriotism and disinterestedness of the immortal Papineau ; plans for the advancement in all earthly prosperity of the incipient “ *Grande Nation Canadienne*,” whereof the attentive listeners were represented as choice specimens ; fierce denunciations against red-coats, accompanied with insinuations of their wearers finding ere long free quarters without rations in the St. Lawrence ; the whole string of invectives being wound up with three cheers in favour of that very public, yet practically unknown personage—Dame Liberty.

Curiosity induced me frequently to visit the scenes as well of this peculiar oratory as of the drills, because at both strong points of national character were constantly elicited. Though the whole matter was becoming somewhat too serious to be made a source of amusement, I am bound to confess, that much of what I witnessed was of that ludicrous character to make me almost forget, at the moment, the danger which lurked beneath it.

Some of the drill scenes, in particular, the marshalling and arraying of the recruits, and



the manœuvres practised, were mighty rich ; but it was not the less evident that the performers were becoming at each rehearsal more proficient in their new vocation, and might soon be converted into formidable opponents.

All these proceedings, it was obvious, must end in something more than child's play ; and a doubt naturally suggested itself to the minds of many, considering the great numerical disproportion between the two respective races, and the mere handful of troops then in the country, whether the approaching torrent *could* be stemmed.

The British inhabitants, however, far from giving way to despondency, began to see that their main reliance must be upon themselves, if they would avoid the dreadful calamity which their being found unprepared, would entail upon them and their families.

For a long time, fruitless applications were made to Lord Gosford, or, as the French Canadians termed him, " Milord Goose-fort," to sanction the formation of the loyal inhabitants into corps ; nor was it until the eleventh hour

that his lordship could be brought to understand the real nature of the danger, or to free entirely Sir John Colborne\* from the shackles in which his relative subordination placed him. When *carte blanche* was at length given to Sir John to act as circumstances might require, he immediately adopted the most vigorous measures, and the alacrity with which those measures were seconded by the gallant race of men interested in their promotion, proved how well *they* were aware of the difference between the ostensible and the real objects of the hostile party.

As a measure of precaution, the different banks of Montreal sent down about this time their specie to Quebec, for safe-keeping in the citadel.

In the midst of all this incertitude and consternation, not the least expectation either of American interference in behalf of the insurgents, or of a simultaneous rising in Upper Canada, appeared to obtain. If any looked to these contingencies, they wisely preserved silence; for the promulgation of any fears of this kind—particu-

\* Now Lord Seaton.

larly on the latter point, as the people confidently looked for aid from the sister province—would, probably, have been attended, from the greater degree of depression it would not have failed to create, with the most fatal consequences.

One palpable sign of the times, not to be mistaken, during the progress of the insurrection, was the waning influence of the Catholic priesthood over the minds of their hitherto docile flocks. Not only did the insurgents treat with contumely the remonstrances of the pastors to whose injunctions they had before been blindly subservient, but intimated to them, in many cases, that their interference might be attended with peril to themselves. This, however, so far from acting deterringly on the clergy, stimulated them to renewed exertion; for they knew and felt their interest as a body to be identified with the maintenance of British authority, which alone secured them in their possessions; while, on the other hand, they were no less sensible that were the chain of their moral influence once broken, the success of their countrymen must

entail upon them the same ruin and devastation that overwhelmed the clergy in France during the first revolution there. Just in proportion therefore, as they became sensible of the real nature of their position, so did they direct their efforts to check the progress of the insurrection; and upon the whole they succeeded marvellously, considering the powerful re-action with which they had to contend.

There were, nevertheless, many cases of defection in their own ranks, as was strikingly exemplified in the respective instances of the parish priests, who were found combating on the side of the insurgents at St. Charles and St. Eustache; but, taken as a body, the French Canadian Catholic clergy remained ostensibly faithful to their allegiance; and, under such circumstances, it is scarcely worth while to inquire how far their national sympathies *might* have been enlisted on the other side, had not their personal interests been at stake.

It would be, at best, a doubtful advantage to the French Canadians to emancipate themselves by forcible means from their present religious

thralldom, without being first prepared for the rational enjoyment of such freedom, by an enlightened course of education.

An incidental occurrence, which took place on the 6th of November, brought prematurely to a crisis the disease I have been describing, and precipitated the designs of the French Canadian party, who had intended to defer their execution until the navigation of the St. Lawrence should be fairly closed.

The day in question had been fixed upon by the rival parties each to assemble, and afterwards to walk in procession through the streets; of course with the object of a mutual exhibition of numerical strength.

Justly apprehending that the peace of the city would be endangered by such a proceeding, the local magistracy issued a proclamation, warning the inhabitants generally to remain at home, and exacted privately from the leaders of either party a promise that they would exercise their influence to prevent the proposed assemblage.

This promise, the British, on their part, faithfully adhered to, and their efforts were successful;

but the French Canadians either violated theirs, or were ill-obeyed; since, in the course of the afternoon, a body of about two hundred of their partizans, mostly carrying sticks, converged, from various quarters of the town, towards a tavern, situated between St. Paul's and Saint James's Streets, which run parallel, and having in its rear a large stable-yard with gates opening on the latter thoroughfare, the best and widest in Montreal.

In this yard they congregated, and, according to the reports of strangers who got amongst them, harangues, surpassing all former treasonable displays, were uttered, and a resort to violence, though not on that occasion, more strongly than ever recommended.

Whilst this was going on, some members of the British party, incensed at the violation of the pledge given in the morning, planted themselves in front and rear of the meeting-place, and parading the Union-jack, with jeers and shouts, defied the would-be Romans to issue forth. This, the latter abstained for a long time from doing, as the number of their besiegers

(though not exceeding at the utmost fifty men and boys,) had been so magnified, that they were filled with a very terror; and, according to all accounts, so far were they from manifesting anything like warlike ardour, that their only anxiety was to get safe home.

The house in which I resided nearly faced the entrance to the stable-yard, so that I could witness in safety all that was passing; hence, being struck with the extreme folly of our people, who were by no means justified in interfering, and who, even otherwise, were too feeble to resist should they be assailed, I remarked to a friend who was standing at the window with me, that they would surely have cause to repent their temerity.

I had scarcely uttered the words, when a loud shout was raised, and presently, uttering hideous yells, out-rushed the besieged, who had now learned how few were their challengers, into the open space before me, which they cleared in a twinkling, striking right and left with their sticks.

By this time, my friend and I had gone down

to secure the street-door, but before doing so, we half-opened it, whereupon admittance was implored by several of the fugitives, and of course granted to them, one of the individuals so sheltered just escaping a blow aimed at him with a heavy bludgeon, by one of his pursuers.

On resuming my station at the window, I found that the assailants had made a halt, and were conferring as to their further proceedings, sentries being placed at the corners of the cross streets, branching right and left, and hurling down them an incessant shower of stones.

Never did I gaze on such an infuriated band of ruffians, and, making allowance for the difference of attire, their whole appearance and demeanour might not unaptly realize our conception of what must have been in reality the scenic-represented followers of Masaniello. Nevertheless, it was quite evident that, although elate with their petty triumph, they were very uneasy at the position in which they had placed themselves, and I am quite satisfied from the blended expression of their countenances, betraying as they did both fierceness and anxiety, that they



found it necessary to lash themselves into a state of furious excitement, in order to subdue their fears, and would have been right glad to escape without doing further battle.

That they had anticipated the possibility of having at least to act upon the defensive, was apparent in the first instance, from the majority of them being armed with sticks, and had any doubt remained on this point, it would now have been removed, as weapons of a more deadly character began to display themselves, and I observed, in particular, one ferocious-looking fellow to draw from a side-pocket a most formidable two-edged knife, full twelve or fifteen inches long.

Their chief leader was a very fine young man, named Desrivières, a clerk in the Banque du Peuple, who deported himself in a manner that would have graced a nobler cause, and whose example certainly went far to inspire his comrades with a temporary confidence. From their excited state, it required the utmost efforts, both of himself and others, to marshal them in anything like order.

After much wavering and indecision as to whether they should keep together or scatter, they at length decided on the former course, and, screwing their courage once more to the sticking place, raised another shout, and rushed tumultuously up the street towards the Place d'Armes, clearing all before them, and hurling destructive missiles at the windows of obnoxious individuals.

On reaching the Place, they were encountered by a reinforcement of the British party, which, on the first defeat, had been summoned to the rescue, and a general *mélée* ensued, during which much severe punishment was inflicted on both sides, though happily no lives were lost. Both parties claimed the victory on this occasion, and perhaps with equal justice: the French Canadians succeeding in getting home in small parties down the numerous cross streets, notwithstanding the attempt to intercept them; and the British remaining in possession of the scene of conflict, which it was evidently not the object of their opponents to retain.

The self-styled "Doric Club," an unautho-

rized association, whose acts were sometimes intemperate, claimed to itself the whole merit attaching to this ambiguous, and at best ignoble, triumph, with no greater justice, than that I could ever learn, than that a few of its members chanced to be present.

I must not be understood as seeking, in these remarks, to extenuate in any way the conduct of the French Canadian party. On the contrary, I consider it to have been highly culpable; though that of their opponents was, in the first instance, assuredly no less so.

From never having seen a faithful version of this affair, I have been induced to be thus particular in my account of it; and as I was a passive spectator of the whole of the proceedings, from first to last (having followed the rush which took place up the street), I trust that my statement may be at least considered an impartial one.

Viewed in the light, that out of evil frequently comes good, the occurrence in question cannot certainly be regretted, inasmuch as it hastened, by effect, the advent of an impending mischief

whilst there existed greater means of counteracting it.

- After the dispersion of the insurgents to their homes, some companies of the Royals, which had been called out in anticipation of further disturbances, were distributed in various parts of the town, and remained picquetted throughout the night; but their more active services were happily not needed. Prior to their appearance, the British party, elate with the result of the past contest, had proceeded to the printing-office of the "*Vindicator*" newspaper, a most seditious journal, edited by the notorious Dr. O'Callaghan, where they destroyed the whole of the type and printing apparatus; the building itself narrowly escaping demolition.

The troops, however, prevented the commission of further mischief of this nature, and saved M. Papineau's house from destruction, towards which the British were hurrying, when they met the soldiers advancing in double-quick time. They immediately greeted them with enthusiastic cheers, and accompanied them quietly in their perambulations through the town.

In the course of the evening, the houses of several suspicious characters were searched, and in one of them was found a seven-barrelled gun, together with a flag inscribed with a treasonable device, both of which "signs of the times," were of course carried off as trophies.

The news of this day's proceedings spread like lightning through the country, and the *émeute*, being magnified by report into a mighty battle wherein the French Canadians came off victors, was received with acclamation by the credulous deluded peasantry, who forthwith proceeded to acts of open violence against the scattered British population dwelling on the south side of the St. Lawrence, and in the country to the rear of Montreal.

On the other hand, constant arrests were made by the authorities, both in Montreal and elsewhere, though in some places it was perfectly useless to attempt enforcing warrants that were issued.

A few days after the riot in Montreal, a small party of volunteer cavalry, whilst escorting from St. John's a noted rebel who had been captured

there, was daringly attacked within a short distance of Vaudreuil, on the St. Lawrence, by a considerable body of armed insurgents, who were lying in ambush in a wood, bordering the road. The horsemen, being far outnumbered, were compelled to abandon their prisoner and retreat; making, indeed, their escape with difficulty over the open country, there closely intersected with barbarous fences.

On learning this occurrence, and that the whole district of the Richelieu was in a state of open insurrection, Sir John Colborne determined to strike a decisive blow, by transporting the bulk of the small military force at his disposal into the very heart of the rebellious country, before the contagion should spread to other quarters; and he trusted to the great moral effect to be anticipated from a signal victory, as a powerful after-auxiliary to his means of preserving order.

Hence, he concerted the plan of operations which terminated in the respective actions of St. Denis and St. Charles, although intended to centre in a combined attack upon the latter place.

Owing as much to gross mismanagement as to the inclemency of the weather and the bad state of the roads, the detachment under Colonel Gore, which, proceeding upwards from Sorel, was to have effected a junction with the detachment under Colonel Wetherall, coming from Chambly, was, as it is well-known, miserably repulsed with severe loss, and compelled to retreat, leaving Colonel Wetherall to do the best he could, single-handed. How well the latter succeeded in the object of *his* enterprise, as also in extricating his gallant followers from the perilous situation in which they found themselves placed, from the failure of the proposed junction, is likewise too much a matter of history to require that I should enlarge upon it here.

The circumstances which marked the return of the two detachments to Montreal, where they arrived within a few days' interval of each other, exhibited a very striking contrast; and never, perhaps, was defeat or victory more forcibly personified than in these respective cases.

The detachment from St. Denis landed almost stealthily at night; its men torn, maimed, suffer-

ing, and dejected, dragging their weary, benumbed limbs to the solitude of their barrack, and seeking to avoid the gaze of even the few spectators who had assembled on the wharf to greet them. The detachment from St. Charles, on the contrary, landed in the full blaze of day, amid all the pomp and majesty of triumph; marching through the town with colours flying, preceded by its band, and accompanied by a long string of prisoners that had been taken.

Yet were the officers and men of either corps all equally brave and gallant soldiers. Their repulse and their success respectively, were mainly the result of the imprudence and the foresight of their two commanders; and no better troops ever went into action than those who stormed and carried the Stockade at St. Charles, or those who dauntlessly, but fruitlessly, assaulted the stone walls of St. Denis, when worn with the toil of a long night-march, through terrific weather, half-frozen, and in a state of inanition.

The lights and shades of the two events themselves, being of this nature, it may readily be conceived that the moral effect which they in



turn produced on the minds of the mutually hostile portions of the community, were quite in character and keeping.

On the first occasion, for example, dismay was depicted on the countenances of the British inhabitants—silent joy and incipient triumph on those of the French Canadians. On the second, these symptoms were reversed, the parties changing places; while the French Canadians who had not the same control as the British over their emotions or their passions, might now be seen, in groups or singly, scowling hatred and defiance, shedding tears and wringing their hands, as though in bitter anguish, or muttering imprecations as they went. The women, in particular, I observed to be deeply afflicted, in consequence, as I presumed, of their having heard of the loss of some relative or friend in the action, since many French Canadians of Montreal were known to have crossed the St. Lawrence for the purpose of joining the insurgents on the southern side.

During the absence of the troops from Montreal, on the desperate service in which they had been engaged, every possible precaution for in-

During the safety of the city had been taken. Volunteers performed the whole garrison duty, maintained an efficient night watch in every direction, both stationary and by means of small parties of armed horsemen, who patrolled the streets at regular intervals. At all the chief outlets, strong barricades were raised and heavy ordnance mounted, so as to command the road leading to the open country, and pieces of light artillery were kept in readiness, to be served at any point required at a moment's notice.

In the interregnum between the affairs of St. Denis and St. Charles, a sort of lull prevailed, betokening, in effect, how great was the hidden danger; for it was well-known that the French Canadians in Montreal, in conjunction with their friends in the vicinity of St. Eustache, were only awaiting favourable tidings for their cause from St. Charles, and which to the very latest moment they confidently expected, to assault the British inhabitants of the city: a contingency for which every man among the latter felt it necessary to prepare himself, and

which, he was fully sensible, must involve the extermination of the one party or the other.

For several days succeeding the disastrous business at St. Denis, the supremacy of the insurgents was so far insured as effectually to cut off any intercourse between the authorities in Montreal and Colonel Wetherall. Hence, the anxiety of the British population for the fate of the gallant band under his command, was, for some days, painfully intense, and this tortured state of feeling was augmented by the reports constantly promulgated by the opposite party, that the whole detachment had been slain, captured, or dispersed.

The impression was now beginning to be very generally entertained, that, even if this small force should escape annihilation by retreating on Montreal, the whole of the south shores of the St. Lawrence must be abandoned to the will of the insurgents, and that the troops with the British population must shut themselves up in Quebec and Montreal until reinforcements should arrive. Nor was this an irrational con-

clusion, considering that a small force of less than three hundred effective men was encompassed on all sides by thousands of a hostile peasantry, imbued with feelings somewhat similar to those which animated the Spanish rural population against the soldiery of Napoleon: that is, feelings of the most deadly national animosity, rendered, in this case, the more violent from having been so long latent and subdued.

But discipline and valour signally overcame the fearful odds that were opposed to them; and, by common assent, the invincibility of British troops, which had been for a moment doubted, was again fully established.

The decisive business at St. Charles immediately re-opened the communication with Montreal, and the arrival of the messenger who brought the intelligence, was hailed by the British population with feelings such as I should vainly endeavour to describe, but which may be readily imagined when it is stated, that had the result been different, Montreal would have been attacked in force that very night.

The day happened to be Sunday, and at

the moment when the steam-boat, having on board the messenger, reached the wharf, the different edifices of public worship were pouring forth their congregations. The animated scene which ensued, all parties being alike eager, I have still vividly before me. A general rush was made down the narrow streets which lead from the Rue Notre Dame and the Place d'Armes to the wharf, but long before the fact itself was generally promulgated, loud and long-repeated cheers from the British had announced to the panic-stricken French Canadians the destruction of their hopes and expectations.

As shewing the nature of the feeling which prevailed among the better class of that party, I will relate part of a conversation which I chanced to overhear, on my way home from the wharf, on the day in question, between an elderly lady and gentleman, the former of whom was standing at an open window, eagerly interrogating the latter as to the nature of the news.

“ Et les troupes sont donc victorieuses ? ” said the querist.

“ Hélas ! oui, ” replied her companion.

“St. Charles pris, dites vous ?”

“Non seulement pris, à ce qu'on prétend, mais brûlé—détruit, enfin !”

“Que sont dévenus *nos gens* ?”

“La plupart tuée ou prisonnière—le reste épars et en fuite !”

“Dieu de dieu !” exclaimed the old lady, wringing her hands ; “quelles horreurs que vous me racontez là ! que ferons-nous ? que deviendrons-nous ?”

“Faut espérer,” replied her companion, shrugging his shoulders, and looking as resigned as he could ; which expression, with its significant enforcement, I readily interpreted to imply, “better luck next time !”

The splendid achievement of Colonel Wetherall had for the time so effectually broken the spirits of the French Canadians throughout the Richelieu district, that Colonel Gore, at the head of a second detachment, was placed in a condition to traverse it, not only without encountering the least resistance, but receiving every where the unqualified submission of the *habitans*.

In the course of this expedition, the body of the unfortunate Lieutenant Weir was discovered, whose cruel murder, as my readers will remember, formed a striking episode of the previous campaign. It was conveyed to Montreal for interment, the ceremony of which was rendered most imposing by the presence, as mourners, not only of almost all the troops in garrison, but of the majority of the ward and volunteer companies, all carrying their arms, and forming a grand funeral procession of *several thousand* men, amongst whom I enrolled myself, a humble unit ; though the cold was so intense that I could with difficulty hold my musket, and felt fairly tempted, as did many others their's, to cast it away.

It was a truly affecting spectacle to see almost the entire male British population, of every rank and age, thus voluntarily turning out to pay the last tribute of respect to the unfortunate young officer then borne before them to his last resting-place. The scene, too, was interesting from its novelty and the peculiarity of the associations connected with it. The burial-place lay in the Quebec suburb, extending towards the

open country. Fancy, then, the appearance, towards the twilight of a Canadian winter's day, when all was hushed around you, save the solemn military requiem, of a body of men four deep, and several thousand in number, brought out in strong dark relief against the pure white surface they were traversing in solemn funeral procession, with arms reversed! Embody in your mind a picture of this kind, and you will have some faint outline of the appearance of the throng which followed to the grave the remains of poor Lieutenant Weir, whose savage murderer, though long in custody, has not expiated his offence.

I have no doubt that the sight I have attempted to describe, produced upon such of the French Canadians as witnessed it,—and there were many present,—a very sensible effect; since, being themselves great respecters of religious observances, they must have been deeply impressed with the solemnity of this; while, on the other hand, the formidable array of armed men must have exercised on them a salutary influence not easily to be shaken off.

The subsequent expedition of Sir John Col-



borne, against St. Eustache, which proved in all respects successful, completed the subjugation of the insurgents, so auspiciously begun by Col. Wetherall, and effectually removed all *present* ground of apprehension on the part of the loyal population. For a short account of that expedition, I cannot, perhaps, do better than refer my readers to the first part of Captain Marryatt's lately published "Diary in America," as embodying, in relation to it, the leading points of interest.

At this period, I chanced to be on my way to the Upper Province, and, simultaneously with the news of the signal victory which had been gained, I heard, not, I must own, without surprise, of a partial insurrection, which had well-nigh proved successful, having broken out in the environs of Toronto, and that the situation of the country rendered further travelling unsafe.

Inured, however, by this time, to perils similar to those predicted, I was not to be deterred from the prosecution of my journey; and, accordingly, first procuring weapons of defence, I proceeded onward, reaching Kingston without further

disaster than that of an immersion through the ice at St. Ann's, after a successful attempt to rescue my luggage, which had preceded me in essaying the temperature of the water.

Though all was saved, everything, even to my papers, was completely saturated, and then frozen on exposure to the air; while I, also a frozen mass, was constrained to return to the little village I had lately quitted, where, on seeking refuge in the inn which gave me welcome, I of course became once more a dripping body pending the operations of thawing before the fire and disrobing, which last I did not unnecessarily delay. Discomforts such as these, however, are trifles light as air, viewed in comparison with the greater mishaps one generally encounters in the progress of a Canadian long winter journey; particularly at the commencement, or at the close of the season, when the roads are adapted neither for wheeling nor sleighing, and the ice is as about as treacherous as the smiles of a coquette.

But a more dangerous period still for traversing the St. Lawrence, is when the ice, fairly

broken up, is floating down it, frequently in large fields, and mostly in fragments very dangerous to the navigator.

On such occasions, the passage is performed in canoes, worked with paddles, and at the bottom of which you are often constrained to prostrate yourself in order to avoid capsizing, or sometimes to incur the risk of leaping from the canoe upon a piece of floating ice, (to the consternation of a cluster of wild-ducks which you thence dislodge), and trusting to the chance of your after salvation.

Having once an urgent necessity to traverse the stream at this particular period, I embarked in one of the frail conveyances I have mentioned; but I had well nigh paid dearly for my temerity, and received a lesson which, while it would deter me from repeating the experiment, warrants me in recommending no one to hazard it who sets any value on his life.

As regards the second insurrection, that of November 1838, which broke out in Lower Canada, I need only observe that, varying localities and dates, it resembled in its leading features

that which had preceded it ; excepting only that the rising was on a somewhat larger scale, the plan of operations more matured, though equally defective, and the means of aggression more formidable, but productive on both sides of less loss of life.

The insurgents, after committing many acts of wanton cruelty and destruction on the persons and property of the isolated British inhabitants, during the brief interval they were enabled to maintain themselves in arms, were, at first, repulsed at all points, by the gallant conduct of the volunteers and regular troops ; being finally dispersed at Stanstead, their head-quarters, where they had assembled in considerable numbers, by the mere approach of Sir John Colborne at the head of his disposable force.

This second rising had been confidently predicted, long before its actual occurrence, by all who were impressed with the conviction that deep-seated incurable national animosity, rather than mere political grievance, was the sole originating cause of the first outbreak. Of this number I was always one, and I saw and heard

enough on re-visiting Lower Canada for a short space, in the course of the summer, to convince me, that on the approach of winter, the scenes of the former one would be fully re-enacted.

A few reflexions here naturally suggest themselves as to the causes, proximate or remote, of the lamentable state of things I have been endeavouring to portray.

It has been the lot of the French Canadian peasantry to be made the fulcrum of a lever poised for their own ambitious but short-sighted views by a few designing, unprincipled individuals, possessing local influence, and supported by the countenance given to their proceedings by a set of men in England, to whose opinions an undue importance was attached, but who either did not understand the merits of the cause they advocated, or wilfully distorted its every feature for mere party purposes. The ready handle to this lever has been alone, the latent national animosities of an otherwise inert mass of human beings, whose anti-British prejudices and feelings, unable to withstand the violent inflammatory appeals made to them, have been roused for the time

into a state of dangerous activity, and left with a susceptibility whose keenness cannot be allayed either by mildness or coercion, and which can only be gradually obliterated by the physical preponderance of a British population, in a ratio similar to that of a moral character at present so strongly marked between the two races.

The doctrine that power rests of right with the majority is a rule which, however arbitrary in its general application, yet admits of marked exceptions; and in no case, perhaps, that the records of history might furnish, has the necessity of acting on the exception rather than the rule, been more strikingly exemplified than it has in the case of Lower Canada.

It is only on an hypothesis which the modern great human family repudiates, namely, the subjection of the moral to the physical, that the pretensions of the French Canadians to unqualified supremacy in Lower Canada can be at all established. Their mere numerical superiority does not invest them, as they have been taught to believe, with the supremacy they claim; because, in effect, it is unaccompanied by a corresponding

or even a proportionate degree of moral excellence, which could alone exalt the social condition; and still less by accumulated wealth, so indispensable an element of progressive improvement.

The real question to be considered has always appeared to me to rest on this simple issue: either Great Britain is the rightful possessor of Lower Canada or she is not. That she is so, cannot be disputed so long as the tenure of conquest, confirmed by treaty, continue to be recognized by nations as a legal title of investiture. Hence, it must be obvious, that so long as the *British part* of the population be *desirous* to preserve the existing connexion with England, or so long as, by mutual assent, the maintenance of British supremacy be requisite for the attainment of a common end, namely,—the perpetuation of British institutions,—whatsoever in the colony is, *per se*, anti-British, is of necessity inimical to its interests; because such causes act as direct impediments to the promotion of its prosperity, by retarding the development of its resources.

Let me not be understood by these remarks as

arguing, by implication, the removal of obstacles of this nature by coercive measures. The remedy I would suggest is the gradual *adaptation* of a hostile race of men to the altered state of things around them; the *primary* element of which change must be (if not too late for the experiment to succeed) an extensive immigration.

If we come to the abstract question of the right of occupancy, founded on priority of claim, we shall find that the French Canadians themselves are just as much usurpers as those whom they are desirous to expel; and that, on this ground of argument, the territory must revert to the aborigines, or poor despoiled Indians.

The insurrection that has twice broken out in Lower Canada, and been twice timely suppressed, is too strongly marked with a distinctive character to admit of doubt, that it has its origin in the germ of national antipathy, which, sown at the conquest, has acquired strength, vigour, and intensity in its growth, just in proportion as it has been acted on by outward influences, and that (in the words of Lord Durham) as regards the present generation, it ab-



sorbs every better feeling, and is wholly irradicable. If at all justifiable, the insurrection of the French Canadians would have been as much so *at any given period* within the last eighty years as it is now, or would probably be eighty years henceforward!

The question may perhaps be asked, why if *nationality*, and not mere incidental dissatisfaction arising from political causes, were the main-spring of action of the French Canadians, they never before attempted to achieve their independence? The answer to such inquiry is a ready one. Before their minds were so strongly impregnated with the pernicious doctrines inculcated by those whom of late years they have recognized as their legitimate leaders, as to induce them to indulge their present day-dream, that they possess the wherewithal to "set up for themselves" as an independent people, they *felt* that their alternatives lay between remaining under the dominion of Great Britain, or becoming incorporated with the United States; and they have preferred the former as the lesser evil, if for no better reason than that they were

already accustomed to the one, and knew nothing practically of the other. Hence, they remained passive, and this interested passiveness has been mistaken for loyalty by those whose knowledge of human nature should have taught them better things. Again, the danger of their being displaced, as the aborigines had been by them, by a succeeding race, if apparent to them, was yet not imminent ; or, it might be, that, estimating the progress of others by their own, they conceived, having the start, that they should be always able to maintain the preponderance in point of numbers, which with them was, and still is, every thing. Latterly, however, this fancied security gave way to fear ; the hated Saxon population, despite of every attempt to check it, was fast treading on their heels, and must in time overtake them ; while this powerful incentive being applied to the already kindled flame of their *ingrain* feeling of hostility, served but to spread the conflagration.

Their error has consisted in arrogating to themselves a right which they do not possess, founded on the abstract question of their distinc-

tive race and origin, and in believing that numerical superiority was, of itself, more than an equivalent for the want of moral strength.

To suppose that they *could* maintain themselves as a people, independent either of Great Britain or the United States, has been the greatest of all their delusions, except the belief that the American citizens would help them in the furtherance of their immediate objects from disinterested motives. Their separation from England would, in fact, only *accelerate* the period when they should become merged in the great Saxon family, and be, politically speaking, altogether lost sight of as a distinctive race of people ; whereas, the continuance of their connexion with England for a further series of years would enable them to adapt themselves and their posterity to this their unalterable destiny. Prior to the closing scene of their political existence, Yankee sympathy would have dealt strangely with their privileges ; their possessions would have passed into other hands, and they would have become literally “ hewers of wood, and drawers of water.” The bondage imposed by the Egyptian would have been light to theirs.

In the intensity of their desire to gratify the feeling of hatred which animates them against the British name and race, they strangely lose sight of the evil consequences which their very success would entail upon them. That such should, however, be the case, is scarcely surprising, considering the *nature* of the all-absorbing feeling in which they allow themselves to indulge; as also the truth, which experience teaches, that communities, like individuals, are but too apt to forego a prospective good for the gratification of a present desire, involving a mingled feeling of hatred and revenge.

Yet, for these desolating consequences as of late exhibited in Lower Canada, is the British nation itself far more to blame than are the French Canadians.

They have been left a nationality, quite distinctive from that imposed by their change of condition, and this has been fostered, with a degree of infatuation almost incredible, by the very parties who now express surprise and complaint that it should have a tendency to produce the effects we witness. Inconsistency carried to

such a length amounts to positive cruelty, and would justly recoil upon its promoters were it not that the question at issue now involves the interests of third parties, who are wholly guiltless. Viewing the matter, as for reason's sake we are bound to view it, in this light, we have, strictly speaking, no right to accuse the French Canadians of *disloyalty*, since we have neglected to plant in them the seed which should produce the converse feeling. The French Canadian argues thus:—"My allegiance," he says, "being a forced one, I owe you no fealty, and hold myself justified in seeking to throw off your dominion, whensoever I may see an opportunity of succeeding in my object. If you *can* keep me down, I cannot of course help myself, and must submit; but be assured, that the least laxity on your part will be the signal for my rising against you." Hence it follows, that resistance to British rule assumes in his eyes the character of a virtue, and not a crime. We may accuse them of *ingratitude*, but that is all: we cannot rationally hope to see them what our safety requires that they should be, unless we

sedulously ingraft upon their nature the elements of conversion :—we cannot otherwise do justice either to them, or to ourselves.

Let, then, even at this eleventh hour, the task be undertaken. Let it be considered that, apart from political objects, the exclusive claims of the French Canadians are powerfully counterbalanced by the claims of the British portion of the population to be insured a permanent position on the soil of their birth, or which they have adopted as their country, on the strength of the belief they have been allowed to entertain during three-fourths of a century, that they planted themselves and their posterity, *not in a foreign land*, of which they might one day be dispossessed by *its natives*, but on a part of the British territory.

Without the entire sacrifice of this part of the population, forming, as it does, nearly one-third part of the whole in point of numbers, and a vast majority in point of moral capacity and wealth, the control of the affairs of Lower Canada could not be conceded to the French Canadians any more than it could be to the

Native Indians, if these were to prefer a claim similar in effect.

In a word, the integrity of the nation, no less than the welfare and safety of the British inhabitants, and of the French Canadians themselves, imperatively requires that, without the exercise of the least cruelty or oppression, the latter should be kept under (speaking in a political sense) until, by means of immigration, all numerical disparity between the two races shall have ceased, and, further resistance being thence hopeless, a gradual amalgamation shall be effected between them by the all-powerful medium of education.

The object to be attained is not a temporary, but a permanent one ; it is nothing less than the perpetuation of the British race existing on that section of the North American Continent, where it is vitally essential, as I shall endeavour hereafter to show, to the welfare of Great Britain herself, to consolidate British institutions ; or, rather, perhaps, the spirit which animates them, and operates as a means of improving the condition of the whole human race.

In comparison with such an object, the extinction on British soil, of a state of things representing the semi-barbarism which existed in the provinces of France a century ago, cannot surely be a cause of regret; or the prejudices of a people bent on preserving an obsolete nationality, repudiated by the spirit of the age, and by the spread of enlightenment around them, be allowed, in the estimation of any reflecting person, to weigh as a feather against the argument of adaptation hereinbefore advocated.

Independent of the other primary means suggested, namely, immigration and education, for operating this important change, the abolition on equitable terms of the feudal tenure, (of which, more hereafter,) and the train of incongruities it involves, is a most essential auxiliary, and, even as an abstract measure, would be imperatively called for.

To conclude, the French Canadians having, by their late recourse to violence, justly forfeited every title to a continuance of the exclusive privileges, which, whether by a false reasoning, a false humanity, or a false policy, they



have been heretofore considered to possess, have themselves offered to the British Nation the opportunity of doing with them that which should have been done when they first became British subjects—adapting their condition to our own; and we may be assured that the last and only chance of repairing the original error has now presented itself.

I propose to offer a few concluding remarks on this interesting and important subject, in a future chapter, embodying some reflexions on the question of the Legislative Union, and other matters therewith connected.

## CHAPTER IV.

Kingston. — Mackenzie's Outbreak. — Repeated false Alarms. — Series of Invasions. — Affair of Hickory Island. — Consternation of the Kingstonians thereat. — Conversation with an old Indian Warrior. — Destruction of the British steam-boat *Sir Robert Peel*. — Further Irruptions into the Province. — Mission of the Earl of Durham. — American Conspiracy against Canada. — Hunters' Association. — Invasions at Prescott and Windsor. — Result thereof. — Final Disposal of the Prisoners. — Remarkable Events of 1839.

KINGSTON, the chief naval depôt of Upper Canada, is a pleasantly situated little town of some four or five thousand inhabitants, and possesses, in point of locality, many natural advantages. The social attractions of the place itself are pretty much upon a par with those of Toronto, hereafter to be described; but its habits are essentially of the unprogressive order, and it reposes somewhat too complacently on its assumed dignity to be otherwise than stationary.

Upon an eminence across the bay stands Fort Henry, which commands the approaches by the

river, and also the town itself, in every direction. As a military station, Kingston is one of some importance, and by further artificial means might readily be converted into a very strong position, being in a great measure the key to Lake Ontario. It is nearly equi-distant from Toronto and Montreal, or about one hundred and eighty miles from either. In its general appearance it much resembles a large English village, but is somewhat stragglingly built, though possessing in its *fashionable* parts some very substantial houses.

It is in the neighbourhood of Kingston that the Provincial Penitentiary has been erected; an establishment which, generally pretty well stocked with inmates, is conducted on much the same principle as the state prison at Auburn, in the United States; that is, the prisoners are allowed to work in each other's company, but not to converse together.

Among the minor characteristics of Kingston, I must not omit to mention the endless out-door squabbles of its pigs and dogs, both of which domestic animals infest the streets in shoals; and

are as great a nuisance as dogs alone are said to be at Constantinople. A ruthless war is waged by the canine upon the swinish multitude, and, as these have a peculiar way of acknowledging such courtesies, the effect of the din of voices in discordant eloquence, may readily be conceived. In Toronto, the case is merely varied ; there, dogs and cows, in lieu of dogs and pigs, are seen in deadly contest ; the tortured cows being driven about the streets in every direction by their tormentors.

On reaching Kingston, about the middle of December 1837, I found the inhabitants labouring, as might naturally have been expected, under the greatest degree of excitement and alarm at the political events which had taken place ; the usually quiet, sanctimonious little town appearing, in effect, to be completely shaken out of its propriety.

Men, arming hastily, were enrolling themselves in corps to meet they knew not what : a danger menaced them which they could not grapple, because of their inability to define it : almost every one regarded his neighbour, or the

comrade at his side, with a feeling of distrust, as though he were a rebel in disguise, and more ready to turn his weapon against him, should occasion offer, than to wield it in his defence.

The general zeal and alacrity displayed were praiseworthy in the extreme, but the false alarms were endless, producing sometimes very ludicrous effects upon the minds and actions of different individuals.

It is, and ever must be, a very questionable matter, whether even the success which crowned the tardy effort to arrest Mackenzie's treasonable proceedings, justified the extreme hazard of allowing them to terminate in open insurrection.

The *real* peril incurred by this result, was the exhibition to the American citizens of a state of things which sound policy would have studiously laboured to withhold from them ; for, if the portal admitting a pretext for their interference were once opened, there was no foretelling how long it might be kept ajar.

Looking, therefore, beyond mere local circumstances, the experiment of invoking a dan-

ger by tolerating it, for the sake of proving that it *could* be repelled, was somewhat an unnecessarily gratuitous one ; nor did there apparently exist any greater cause in the then condition of Upper Canada than there exists at the present moment, to warrant the conclusion that it needed the very searching test of loyalty applied to it.

If, as appears to have been the case, a settled conviction were felt by the Executive, that the province was *sound at heart*, the reduction of such conviction to a physical illustration, was clearly a work of supererogation ; and, if a contrary opinion were entertained, the issue should have been equally avoided, for reasons too palpable to require explanation.

The true course of action seemed to lie in the suppression of sedition or treason, wheresoever tangible, before either should have time to manifest itself in acts of open violence, which could only be quelled at the price of popular commotion for the time being, with the contingent remainder of still more serious evils.

The elements of civil strife in Upper Canada, as compared with those of the Lower Province,

lay (and still lie) less at the core than at the surface ; and not partaking of the national inveteracy with which these were surcharged, were not likely of themselves alone to lead to similar results.

Excrescences, heretofore apparent upon the social system of the province, still disfigure it ; but honesty of purpose would not seek to lop them with the knife of insurrection, when their removal, as is obvious, might be effected by the persevering employment of milder means.

For these reasons, and considering the comparatively few who participated in it, it is difficult to identify Mackenzie's outbreak with the people's cause. Its object could not have been what it professed to be, the redress of grievances, or it must have proved more popular. It can only, therefore, be regarded as part and parcel of the one great political design since gradually developed, and yet in progress of development, for subverting British institutions on the North American continent, and whereof the secret ramifications doubtless extend far beyond the confines of Canada.

As qualifying, however, in some degree, the opinion thus recorded, that the outbreak of December 1837 was essentially the offspring of political machinations, rather than of irradicable intestine venom, I must also express my conviction, founded on close personal observation on the spot, that there existed and exists, on the part of all *moderate men*, in the province, an extreme sensitiveness in regard to many long-controverted points of domestic policy, out of which the semblance of insurrection, ostensibly to effect their solution, may at any time be created by designing individuals intent on the promotion of their own objects. Hence, then, the extreme danger of not at once foreclosing all outstanding questions at issue: in regard to which, I have no hesitation in declaring as my conscientious belief that, if there be one string of the whole instrument more susceptible than another of being attuned to the note of mischief, a partial, or an indefinitely deferred settlement of the clergy reserves' difficulty, will prove such.

Incidental references to this latter subject will be found in other parts of the present work.



But, though seeking an opportunity to raise the standard of rebellion, whereof the ready handle should be the redress of grievances, it admits of very serious question, whether the revolutionary faction, headed by Mackenzie, *could* have found one, had a *preventive* and *precautionary*, rather than a *chastening*, course of policy been pursued by the government. At all events, a very strong impression pervades many well-informed minds in Canada, that Mackenzie and his followers would not have hazarded the hostilities they commenced, desirous as they were to create events which should invite co-operation from without, had not the defenceless condition of Toronto, on which they had not calculated, stimulated them to immediate action.

It is admitted on all hands, that had Mackenzie displayed the same degree of courage in conducting, as he had shewn boldness in conceiving the enterprise on which he entered, Toronto must inevitably have fallen into his hands, and the province, consequently, have submitted to his dictation ; because all after-opposition would have been over-awed by the *hordes* of Ameri-

cans who, in this case, would have assuredly rushed to his support.

On this hypothesis, a false appearance would have been given to the outbreak, baffling all attempts to define its real character ; since, in addition to the whole body of the provincial malcontents themselves, numbers, howsoever adverse to the new state of things, would have nevertheless adhered to the triumphant party, under the influence either of timidity or interest. In a word, the whole destinies of Upper Canada would have been reversed by the capture of Toronto ; and, *avowedly*, it was the result of the merest chance, and not of tact or foresight, on the part of the Executive, that a catastrophe was averted, which *need never have been risked*.

After fortunately losing, by vacillation and delay, the advantages which, unfortunately, they might easily have acquired by vigour, the insurgents became at once panic-stricken and dispirited ; scattering, like sheep, after a brief show of resistance, on the approach of their antagonists, or yielding themselves passively into their hands.

Yet it was by such men that the lasting mischief, before adverted to, *might* readily have been committed!

I have been told by eye-witnesses that the battle of Gallows' Hill, as the running fight on Youge Street is termed, combined in an eminent degree the painful with the ludicrous, and was replete with associations of the most anomalous description.

Pending these occurrences, extending over some continuous days, Toronto is said to have been subjected to the greatest privations for the want of general provisions, the country people being deterred from bringing their produce to market, in their uncertainty as to whether it were safe to do so. Tea appears to have been the chief sustenance of the inhabitants in this emergency; and those families which were known to have by them small edible stores, were importuned by others, less fortunate, for a share of them. An acquaintance of my own informed me that, by dint of hard begging, he obtained from one party a joint of meat, from another a loaf of bread, and from a third some other

article ; which several contributions to his necessities he could not, after all, entirely monopolize.

Though foiled in his immediate object, Mackenzie effectually attained his *ulterior* one, by inducing an aspect of affairs, which, while creating a false sympathy on the part of the American citizens at large, furnished a reckless portion of them with a specious pretext for hastening to the relief of an apparently oppressed people, amongst whom an *openly* precarious and unsettled state of things was *now* induced.

The shock imparted to the whole social fabric in Upper Canada, by Mackenzie's outbreak, had not subsided when the aid of the loyal inhabitants was invoked to repel the foreign invasions it had engendered. How nobly they responded to the call, and how well they performed their duty, are too much matters of history to require that I should do more than advert to them as connecting links in my narrative.

It is difficult to conceive that the majority of the people believed that the economical reforms they needed and desired, were unattainable, save

through the process of a change of political institutions, when on two several occasions they are seen voluntarily strangling the opportunities incidently afforded them of remodeling their condition according to their alleged wishes.

The invasion of Navy Island by a body of men, chiefly American citizens, armed and equipped in the United States, followed by the cutting out and destruction of the American steam-boat "Caroline," and the wanton attack made on the little town of Amherstburg by the notorious Theller, which ended in the capture of himself and his vessel, formed the next series of exciting political occurrences that happened, and that while producing the greatest irritation along the two opposite lines of frontier, laid the foundation of the harassing system of border outrage by Americans, which has since been periodically pursued.

During the occupancy of the island by the invaders, the usual monotony of Kingston was somewhat enlivened by the passage through it of such troops as could now be spared from

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Lower Canada, to assist in the operations going on at Chippewa, for the dislodgment of the enemy from his position.

This consummation, however, when effected, left but little respite or repose, since, towards the end of February and beginning of March, a series of invasions took place, on various parts of the whole line of frontier, extending from Michigan to Vermont. These invasions intended, but failing to be simultaneously operative on the 22d of February, in commemoration of the birth-day of Washington, who, had he been alive, must have blushed for such a mode of celebration, commenced prematurely at Potton and other places on the frontiers of the eastern townships in Lower Canada, and were continued on the day in question, at Hickory Island, a few miles below Kingston; at Point Abino, near Fort Erie and the western locks of the Welland canal, a few days afterwards; at Fighting, or Turkey Island, a narrow slip of land between Sandwich and Amherstburg, on the 25th of February; and at Point-au-Pélé Island, in Lake Erie, on the 2d of March.

The whole of these nefarious enterprises were successfully repelled; but, unfortunately, on the last occasion, not without a lamentable sacrifice on the part of the British, no less than thirty, out of about one hundred men, of the gallant 32d Regiment, who charged and defeated about five times their number, being put *hors de combat* by a murderous fire of riflery from their antagonists, who were sheltered behind a breast-work, formed of accumulated snow and ice.

To the credit of the Upper Canadians be it said, a liberal subscription was got up at Toronto for the wounded soldiers who survived this disaster, and the majority of whom were maimed for life.

I shall not easily forget the dismay which prevailed amongst the Kingstonians, when news arrived that a body of from four hundred to five hundred marauders had encamped on Hickory Island, nearly opposite Gananoque, and were to march that night on Kingston, where they expected to be joined by a body of malcontents, from the heart of a partially disaffected township,

a few miles off; and that, in the event of success crowning the undertaking, the town was to be given up to plunder, and every enormity committed.

Plate, money, jewels, and other valuables, together with the specie belonging to the local bank, were hastily collected, and lodged, for greater security, in the fort. A town-guard, embodying every man capable of bearing arms (as far as the supply of the latter would admit), was hastily enrolled; the little garrison of the fort reinforced; the town barrack, wherein some militia were quartered, doubly guarded; and, in fine, every precaution taken that the shortness of the time rendered practicable; succour being furthermore solicited from the environs.

As night approached, the general anxiety became very great, and anticipation was excited to the uttermost by the propagation of surmises and reports, regarding the progress of the enemy's movements.

Comparing small things with great, the scene and preparation might possibly have borne some analogy with what is represented to have taken



place at Bruxelles on the eve of the battle of Waterloo, when the French were reported to be within a few hours' march.

To know friends from enemies in the confusion of a nocturnal conflict, the defenders of the town were enjoined to bind round their caps, as a badge of recognition, a strip of white linen. Candour compels me to add, without the least disparagement to the valour of any, that in many cases the adornment appeared to be superfluous ; since the paleness of the lengthened visages beneath it would have fairly borne the palm from the whitest linen that was ever bleached.

I know not how far this remark might have been exemplified in my own individuality, but I had at least a sort of right to look woe-begone, inasmuch as my only weapon of defence or offence was a half-rusty sabre, alike guiltless of edge, point, or sheath (I believe it had a handle), which was all I had been able to secure in the general scramble which took place for arms.

Perambulating the town in the course of the evening, I fell in with a gentleman of my acquaintance, who, armed to the teeth, was hurry-

ing to his quarters to prepare, he said, *for action*, since positive information had just been received by the commandant, that the redoubted enemy was actually on his march, and would reach Kingston by eleven o'clock at latest.

This was sufficiently *precise*, even for a non-alarmist, which I professed to be; so, leaving the streets to their solitude, I returned to my abode, there to await patiently the issue of events.

Eleven o'clock came—twelve—one—but still no enemy made his appearance; whereupon, becoming drowsy, I gave up watching, and, regardless of what might happen, lay down to rest, though without disrobing, or parting with my *trusty* sword.

My readers will here naturally conclude that my repose was of short duration, and that I have yet in store for them the description of a stirring scene of strife. But no such thing. Unbroken were my slumbers throughout the night; and on awaking the next morning it was to learn, not that an attack had been made and foiled, but that the enemy had effectually belied the reports of the previous evening, by decamp-

ing from Hickory Island without even attempting an invasion of the main-land, on ascertaining the measures which had been taken to give him a warm reception, as well at Gananoque as at Kingston.

That mischief was averted by the show of preparation made, cannot reasonably be doubted; but it is no less certain that the means of aggression of the marauders had been greatly exaggerated, though it was satisfactorily established that they had confederates within the town, which had, furthermore, recently been entered by persons from the back country, under very suspicious circumstances.

It is probable that the enemy calculated on surprising and firing the town, with the view to plunder it; in which case, in the midst of the confusion, he might have succeeded in carrying off his booty. But he could have scarcely hoped to maintain himself in his position without first making himself master of Fort Henry, a task of no slight difficulty. It was, indeed, said that defection reigned among its garrison, consisting chiefly of militia; but this, appearing to rest

rather on surmise than proof, obtained but little credit.

A few stragglers, together with some travellers who had been detained by the marauders, when on their way across the ice, were found upon the island by a detachment sent from Gananoque to explore it at break of day ; and a very amusing account of the incidents attending their captivity, was given by one of the travellers in question, a gentleman of much intelligence and respectability.

It appeared from his statement, that the effective force at the disposal of *General Van Ranselaaer*, who commanded the party, had been at first tolerably respectable in point of numbers, but that his men, over whom he had no control, gradually dwindled off as the time for active operations approached, leaving him, at last, with barely a hundred followers.

He observed that Van Ranselaaer's arms and accoutrements were very rich, and that he played the general to perfection. Both he and his companions were very civilly treated by their captors, whose sole object in detaining them was to prevent their giving information.

In the course of the day, a host of hardy fellows poured into Kingston from the surrounding country, offering their services as volunteers to defend the place; but their aid being now unnecessary, they returned to their homes after being regaled by the townspeople.

Among them were some Indians, not, however, such as my readers may imagine, with tomahawk in hand, half-naked bedaubed bodies, and painted faces, but armed with rifles, comfortably clad, and as orderly in their demeanour and appearance as any of their white comrades.

One grey-haired old warrior, with whom I broached a conversation, shrewdly remarked: "White man fall out—then send for poor Indian, whom he call dog, to help him! What for you fight? Why you not agree and be friend?" I could not but feel the keen reproach conveyed in the first part of his speech, but explained to him, with reference to the latter, that his old enemies, the Long knives,\* wished to get possession of the country, and had therefore leagued

\* The designation given by the Indians to the Americans.

with the disaffected in it to overturn the government; and that, as in the event of their success, the condition of his own people would be much impaired, he had a more direct interest than he seemed to imagine in coming forward in the way he had.

He said he had not before thought of that, but would consider my "words," and it was quite evident from his manner, that he now viewed the matter in a new light. We parted the best friends imaginable, but he could with difficulty be induced to accept the piece of silver coin which I proffered to him in testimony of my regard.

The summary herein-before given of the notable Hickory Island affair, will serve as a striking specimen of the very harassing life to which the border Canadians have been subjected for a lengthened period, and it is this consideration which has mainly induced me to place on record the minute details of the occurrence.

Subsequently thereto, nothing further (excepting the assumption of the government, by Sir George Arthur, and the departure of Sir Francis

Head, on the 23d of March,) of a political nature transpired during the winter, and on the opening of the navigation towards the middle of April, the danger was no longer imminent, as the facilities for crossing were diminished, though threats of further aggression continued to be held out: nor were they uttered in vain.

On the night of the 30th of May, a body of armed ruffians, from the American shore, forcibly seized and burned to the water's edge, the British steam-boat *Sir Robert Peel*, whilst that vessel was taking in fuel at an island of the St. Lawrence, lying within the jurisdiction of the Republic. Before consummating their outrage, they well pillaged both the boat and passengers, subjecting the latter, among whom were several highly respectable females, to the most cruel treatment, by leaving them exposed to the keen night air, with scarcely any covering or shelter, on the barren island where they were turned adrift. Fortunately for them, they were rescued from their painful situation early the next morning, by an American steamer, whose captain kindly diverged from his course to carry them over to Kingston.

For this wanton outrage, committed avowedly in a spirit of revenge for the destruction of the steam-boat *Caroline*, and forming, assuredly, part and parcel of a systematic crusade by American citizens against the peace and liberties of Canada, no redress, as far as I am aware, has yet been afforded to the sufferers by the American government, or demanded of it on their behalf, by the Government of Great Britain, notwithstanding their repeated urgent solicitations to the latter to such effect.

This just and reasonable demand for reparation has hitherto been met by the British Government with the evasion, that the aggressors must first be sued in the courts of the United States by the parties interested; and a demand made upon the United States' government, in the event only of justice being by this means unobtainable.

The farce of the mode of procedure suggested is so palpable, that the applicants will not adopt it; for well they know the impossibility of insuring the identification of the marauders (all of whom wore masks on the occasion); while



they are no less sensible that, even were they identified, no practical result could follow, so long as the sympathies of American judges, lawyers, and jurors, be enlisted, as notoriously they are, with the popular will, against the least reparation being made for losses sustained by the Canadians in presuming to resist its practical operation.

Towards the end of 1839, when I left Canada, this matter remained unadjusted; and there seemed but little prospect of any efficient measures being taken to ensure redress. The delay bears heavily on the sufferers, whose united claims are said to amount to upwards of £17,000; whereof about three-fourths would accrue to the owners of the vessel and the remainder to the passengers.

This occurrence preceded, only by a few days, a fresh invasion of the province, as well on the Niagara as on the extreme Western frontier opposite to Detroit; the former being known as the affair of the Short Hills, from a ridge of sand-banks so called situate in the Niagara district.

At first, this invasion threatened to prove formidable; less, however, as usual, from the

number of the invaders than because of a transient success which they obtained in capturing a small body of provincial cavalry, which they surprised in quarters, and compelled to surrender by firing the building.

But, fortunately, before they had time to profit by the panic they had created, so as to gather round their standard any considerable number of recruits—the only thing which can render invasions of this sort truly formidable—they were themselves surprised and dispersed into the surrounding swamps by a small detachment of troops hastily collected. Several, among whom was Moreau, or Morow, their leader, were subsequently tracked and brought in by the Indians of the neighbourhood, who needed but little incitement to undertake the duty.

Morow was tried and executed shortly afterwards; the sheriff of the district being within an ace of having personally to perform, if not actually performing, the loathsome duties of an executioner.\*

\* I speak from memory alone as to the *precise* result; but at any rate, the utmost difficulty was experienced in procuring a hangman.

The lives of the remaining culprits were spared; the worst amongst them undergoing the commuted punishment of transportation.

According to official statements, the aggregate number of persons *accused* of participation in the insurrection, or of treasonable offences, between the 5th of December 1837 and the 1st of November 1838, was 885; of whom 824 were arrested, and 61 absconded.

The number of individuals convicted by the tribunals amounted to 216, whose after position was as under:—

Pardoned, on furnishing security for future good behaviour.....	140
Confined in the Provincial Penitentiary ....	14
Banished from the provinces .....	18
Sentenced to transportation .....	27
Escaped from confinement .....	14
Executed* .....	3

Total 216

Late in May, the Earl of Durham arrived at Quebec, to assume the arduous duties of the mission he had undertaken; and the occurrences herein-before detailed were not, certainly, of a

\* Lount, Mathews, Morow.

nature calculated to impress his Lordship with the notion that his path would be a smooth one. Early in July, he proceeded on a tour of inspection to the Upper Province, where he was received with every outward demonstration of honour and respect by all classes of the community, whose conjoint homage was influenced by as many different motives as there were points of party difference betwixt them; and thus, whilst there was much seeming unanimity displayed, there existed, in effect, but little real concord. But one good end, at least, was answered; that in speculations for the future, party differences were for the moment laid aside, to be revived with increased bitterness, or permanently allayed, in proportion to the wisdom of the after measures that should be adopted.

Passing over the brief interval of Lord Durham's administration of the general government, I come to the period when the abrupt termination of his Lordship's mission, resulting from the factious proceedings which took place in the British Parliament, respecting his ordinances, occasioned a general consternation in the public

mind, serving as the reaction of the hopes and expectations which had previously been raised.

To this was speedily superadded a vague and undefinable apprehension of impending danger, springing from the promulgation of reports that a most extensive conspiracy for a fresh invasion of Canada had long been secretly maturing in the United States, and was now about to exhibit itself in its effects.

I do not say, because I do not believe, that the abrupt termination of the Earl of Durham's administration was the cause, (beyond, perhaps, somewhat precipitating them,) of the melancholy events which so soon followed it; but I can state, from positive knowledge, that the general depression which took place at this critical juncture, consequent on Lord Durham's virtual recall, amounting, in fact, to a sort of stupor, and hopelessness of further effort at resistance, was produced as much, nay more, by the obvious sacrifice of Canadian interests to mere party-feeling in England, as by the contemplation of the threatened perils themselves.

An association of evils, part known, part sur-

mised, weighed down the mind of the community at large, and inspired it temporarily with a doubt of the efficiency of the means available to meet the crisis, or to repel aggression; while the very character of the terror, which seemed to have stricken all indiscriminately, added greatly to its effect.

There was, besides, a general feeling of dissatisfaction prevailing on the part of the provincial militia, in consequence of the difficulty they had experienced, during the previous troubles, in procuring an adjustment of their claims upon the Government; mainly from the circumstance of no deviation being allowed from rules adapted only to an ordinary state of things, in the conduct of the business of the public service, when the peculiar emergence imperatively required that special arrangements should be made to meet it.

This dissatisfaction of the militia, which exhibited itself in a sort of sullen apathy, was productive at one time of much serious apprehension, less, however, because it was believed that they would shrink from the threatened danger when it

should positively face them, than that their apparent lukewarmness might cause them to be taken unawares, and so entail upon the country the most serious consequences, if the hostile hordes, who threatened it from without, could any where make a stand for a sufficient period to rally round them the provincial malcontents.

But, fortunately, between the utterance and the execution of the threat of invasion, a sufficient interval elapsed to admit of reflection; and when it was rightly understood that a gratuitous invasion of the province, resulting from no insurrection in it, concealed an indiscriminate crusade against life and property, despondency gave way to indignation on the part of all, save those who were incurably disaffected towards British connexion, or who possessed nothing whereof to be despoiled.

The test now applied was of a personal rather than, as before, of a political kind, since, under the plausible pretext of the regeneration of Canada, it was apparent that an indiscriminate plunder of Canadians was contemplated; and in cases where the feeling of loyalty was doubtful,

it needed a no less powerful incentive than self-interest to rouse to action men who were labouring under a sense of real or imaginary grievances, as regarded points of local controversy, and who might, therefore, have remained passively indifferent, had they not been at length fairly awakened to the real designs of their rapacious neighbours.

Though much mystification prevailed regarding the conspiracy against Canada, termed the Hunters' Association, sufficient of it was known, through the voluntary depositions of individuals, and through the emissaries employed by the Canadian government, to satisfy the most incredulous, that its ramifications were very tortuous and extensive, that its resources were very great, and that it enrolled amongst its members many influential and official persons in the republic. It was even asserted, that military officers high in command in the United States' army, stationed on the northern frontier, were something more than friendly to the "patriot" cause, and, while seeking to preserve appearances, were desirous to make their construction of their public



duty dovetail as much as possible with their secret views. Of one, it was reported to have been declared at a "Hunters' Meeting," held at Lockport, that he was not to be feared by the "patriots," who, if they had no greater enemy than he, would get on well enough; while, of another, it was confidently stated, that he had offered to take the command of the "patriot" force, and march with it into Canada, provided that he were first assured of the services of a certain number of men, on whom he might rely at the fitting moment, and of a certain amount in money. I was myself assured, by more than one individual of respectability, while travelling in the summer of last year through the state of New York, that no moral doubt existed in the minds of the border community, that what is above stated respecting the two officers in question, was substantially correct; my informants themselves fairly ridiculing the credulity of those who might think otherwise.

Affirmations were made on oath by various parties, that the whole number of American citizens enrolled in this unholy league amounted

to no less than 200,000, of whom from 25,000 to 40,000 effective men, including a corps of 600 Kentucky riflemen, and a body of Indians, had pledged themselves to march upon the province, whensoever required. But, judging by results, allowance must be made for error or exaggerations in this statement, since in no case of actual invasion did the ascertained number of individuals exceed 400 or 500 men; though, on the other hand, it must be considered that these were sent forward as a sort of advanced guard, to try what number of Canadians would be disposed to join them when once landed in the province, and that thousands were in readiness on the opposite shore, to follow them across the river, should success attend their first efforts.

By the majority of those concerned in it, there can be no doubt that this scheme of wholesale invasion, was held to be infallible; while large sums having been actually embarked in it, as a profitable investment, the result was watched with intense anxiety, such only as Americans intent on gain are capable of feeling.

From facts which afterwards transpired, so

sanguine would many seem to have been of a favourable issue to the enterprise, that the father of one man who had enlisted as a recruit, but was afterwards prevented, by illness or some other cause, from marching when required, actually took his place, rather than his son should forego the advantages anticipated to accrue to him from the expedition. That much delusion was practised on the credulous and inexperienced; that many plunged *tête baissée* into the scheme without the least reflection, or misled by a false enthusiasm; and that the confederates in the States and the disaffected in Canada were unconsciously deceiving one another, by erroneous estimates and misplaced reliances, as the time of action approached, cannot very well be doubted, even if proof had not been afforded that, to an extent, such was in reality the case.

Among the more prominent measures of the conspirators, were the formal appointment of officers to command their army; the nomination of a president and a vice-president for the proposed Canadian republic; and the promulgation of the prospectus of an embryo bank, the pro-

jected capital whereof, fixed at 7,500,000 dollars, or £1,687,500 sterling, was to be exclusively employed in effecting the conquest of Canada, and reimbursed by the confiscation of Canadian lands, the holder of so much stock, being entitled to its estimated equivalent in land.

The general proceedings of the association were not conducted with so much secrecy, notwithstanding an affectation of masonic mystification, but that they occasionally transpired; and the following sketch, derived from authentic sources, will serve to show the mode of initiating persons to the different degrees of membership of the lodges, into which, as in masonry, the association was divided, and also the nature of the so-admitted Hunter's obligation.

Persons about to be initiated as members were introduced into the lodge blind-folded; on which the following oath was administered to them:—  
“ You swear, in the presence of Almighty God, that you will not reveal the secret sign of the snow-shoe to any, not even to the members of the society. You will not write, print, mark, engrave, scratch, chalk, or in any conceivable man-

ner whatsoever, make the shape or sign of the snow-shoe to any living being, not even to the members of this society. You, furthermore, solemnly swear that you will not reveal any of the secrets of this society, which may come to your knowledge, through the president, vice-president, or his cabinet. You, furthermore, solemnly swear that you will give timely notice to any member or brother, if you know of any evil, plot, or design, that has been carried on against him or the society. You, furthermore, solemnly swear that you will render all assistance in your power, without injuring yourself or family, to any brother or member of this society, who shall at any time make the sign of distress to you. You, furthermore, solemnly swear that you will attend every meeting of your lodge, if you can do so without injury to yourself or family. This you swear, as you shall answer to God."

The first degree was called the "Snow-shoe" degree, and had four signs. The test made use of, upon which most reliance was placed, in case a stranger should become acquainted with any of

the signs, was that of membership, or the snow-shoe. Should all other questions have been satisfactorily answered, the person under examination was asked if he had ever seen a snow-shoe, and required to make such sign upon paper. If he attempted to make any representation of it, he was immediately known not to be a member; since, as above stated, all were sworn not to make that sign.

The first of the signs used in communication, was to lay the palm of the left hand over the back of the right, with the fingers of both hands extended and apart from each other, and then to let both hands fall carelessly in front of the body.

The second sign in the snow-shoe degree was used in shaking hands, when the parties took the cuff of each other's coat between the finger and thumb. The third sign consisted in the inquiry—"Are you a Hunter?" The answer was the name of the day succeeding the day of the week on which the question might be asked. The fourth sign was lifting the right-hand to the ear, with the palm in front, and pressing the ear slightly forward.

The signs were answered by the same sign, or by any of the signs.

The second degree was called the "Beaver" degree; the oath pertaining thereto being—"You swear, in the presence of Almighty God, that you will not reveal the sign of the beaver degree to any one who is not a member of the same degree with yourself." The sign of this degree was as follows: "Do you know the beaver to be an industrious animal?" No answer was made verbally, but the left hand was lifted to the mouth—the palm nearest the face; the fingers were bent, the fore-finger being placed under the chin, and the nail of the thumb between the front teeth, which were closed upon it, to imitate the action of a beaver gnawing a tree.

The third degree was called the "Master Hunter's" degree: the oath belonging to it was similar to that last-mentioned. The sign was the interrogation—"Trouble?" and the answer thereto, "Calm:" the right-hand being at the same time moved from the right to the left side of the body, the back of the hand upwards, and the fingers and hand horizontal.

The fourth degree was called the "Patriot Hunter" degree: the oath was similar to that preceding. There were three signs belonging to it; the first of which was comprised in the question—"Do you snuff *and* chew?" The answer was—"I do." At the same time, if the party questioned had a snuff-box about him, he took it out, and made upon it three scratches with his nail; but if he had no such article, he put the thumb of his left-hand into the left pocket of his waistcoat, and made three scratches with the finger-nail upon the waistcoat. The second sign was—"Have you any news for me?" Answer—"Some." The third sign of this degree was the sign of distress. The left-hand was raised, with the palm forward; the fingers extended, but not apart; the thumb pointing to the coat-collar.

There was a method of gaining admission to the lodge, exclusive of all these signs. You went to the door and gave two raps on the outside, which were answered by two on the inside. You then gave one rap on the outside, which was an-



swered by one on the inside. You then made three scratches on the outside, and were thereupon admitted.

The first, or "Snow-shoe" degree, was intended to be universal in the "army" of the self-styled "patriots:" the privates took this degree; the commissioned officers, two degrees; the field-officers, three degrees; the commanders-in-chief, four or more degrees. The members of the society, whether enlisted or not, always took four degrees; but they were only to use the first degree in the army, if they enlisted.

The object of the society was stated after the party initiated had taken the fourth degree, as also some of the plans and operations; but the whole was not communicated except to the grand masters, commanders-in-chief, and others, in whom implicit confidence was reposed. The general object of the society or association was stated to be, "the emancipation of the British colonies from British thralldom."

The Hunters' signs, as above described, having been more or less divulged during the winter of

1838, underwent some changes in the course of the year following, when a fresh invasion of Canada was in agitation.

The sign of recognition in the States was now stated to be, the moving of the index-finger of the right-hand with a circular motion, acknowledged by waving the left-hand. In Canada, the same object was effected by one party putting either of his hands into his pocket, taking therefrom some change, and saying, "times are easier;" the answer being, "truly."

In 1839, when a person was initiated into a lodge, he beheld, after the removal of the bandage from his eyes, a man, having before him on a table, either a dagger or a pistol, and was told that such weapon was intended to remind him of the manner of his death, should he reveal any secret to the injury of the cause he had espoused, or of a brother. In 1838, the same weapons were also laid upon the table, on similar occasions; but nothing was then said respecting them, unless the party was initiated as a "Patriot Mason," or "Beaver Hunter."

It was indeed said, that several persons had

been secretly disposed of, for divulging the secrets of the association, or giving information respecting its proceedings.

The judicious military arrangements made by the high military authorities, must alone be considered, humanly speaking, as having saved Canada at this crisis of its fate. Public confidence, before so completely shaken, as to the efficacy of the utmost means of resistance available, was thenceforth in some degree restored; and the general gloom which had threatened to resolve itself into a settled despondency, was gradually dispelled.

It would be no easy task to describe the sensation produced throughout the province, but more especially at Toronto (where I was then residing), by the news of the descent made near Prescott by a body of armed Americans on the 12th of November. Indignation, however, was the dominant feeling on the part of all, save the incurably disaffected, and these were deterred from any open manifestation of their satisfaction, by the uncertainty if they yet possessed sufficient cause for rejoicing.

With the military proceedings incident to this invasion, I do not propose to detain my readers, further, than to observe, that the victory of the British over their opponents, was purchased, considering the numerical superiority of the former, at a very undue rate, the total loss in killed and wounded amounting to no less than four officers, and about forty-five rank and file.

The whole number of invaders did not probably exceed at the utmost 250 men, of whom, according to official statements, 157 were captured, and about fifty-six killed; the remainder being unaccounted for, and having probably contrived to recross the river before the means of retreat were entirely cut off.

As shewing the spirit by which, in despite of their still lingering discontent, the Canadian militia engaged on this occasion were animated, I may state, on the authority of an officer who was present, that one man, rushing from the ranks, and singling out an antagonist, plunged his bayonet into him, exclaiming, as he did so, "You —— scoundrel, you wanted to rob me of my farm, did you? There; take that instead."

So great, indeed, was the exasperation of the militia, that it is averred they were with difficulty induced to make any prisoners at all; while it is possible, that, but for the example of forbearance set them by the regulars, who had not the same cause of provocation as themselves, much after trouble would have been saved to the provincial executive.

While the contest was going on, repeated attempts were made to throw over reinforcements from the American side, but the presence of an armed British steam-boat in the river frustrated every attempt of this kind, and compelled the adventurers to retreat with loss.

The American authorities made, as usual, when too late to be of service, a show of active interference to thwart the operations of the invaders, and of course effected nothing; while the populace of Ogdensburg, lining the shore, rent the air with their shouts and acclamations of encouragement to the unhappy beings who had periled their lives in this desperate undertaking, and who would doubtless not have ventured on it, had they supposed they should be left unsupported.

Waggon-loads of men who were ready to take part in the affray, came pouring into Ogdensburg from all parts of the adjacent country, and these individuals were frantic with rage, in common with the townspeople at large, at the obstacles which prevented them from affording succour to their countrymen.

Very different, it is obvious, must have been the result of this expedition but for the opportune intervention of the steam-boat in question. From the uncertainty which at first prevailed respecting the projected movements of the enemy, this boat did not arrive at the scene of action in sufficient time to prevent the landing; but it effectually neutralized the after-plan of operations, and may justly be considered as the mainspring of the successful defensive measures that were taken.

Had a larger body of Americans reached the Canada shore, they must have overpowered the small militia force that merely sufficed to keep in check the actual invaders, until the arrival of detachments of regular troops from Kingston, and would in this case have probably succeeded in effecting a junction with the provincial mal-

contents in the neighbourhood, who were deterred from coming forward under the actual circumstances.

As it was, the enemy made a stout and bold resistance, worthy, according to all accounts, of a better cause, though disgracing himself in other respects by some revolting acts of cruelty; and he was only dislodged from the strong stone-mill and houses in which he had taken up his position, by the play of some heavy pieces of ordnance; after a few salutations from which he was forced to surrender at discretion.

The public mind had not had time to recover from the excitement which this event produced, when it was further agitated by a fresh invasion which took place at Moy, near Windsor, on the western frontier, on the 4th December following.

The well-affected part of the community were beginning however, by this time, to have the fullest confidence in themselves and their resources; and, inspired with the late success at Prescott, they did not doubt a similar result at Windsor.

On this occasion the invaders were encountered by the militia alone, and dispersed after a running fight, in which they sustained a heavy, and their pursuers a trivial, loss in killed and wounded. Subsequently, about fifty prisoners fell into the hands of the victors, who in the excitement of the moment, shot four or five of them on the spot. Nor was this extraordinary, however contrary to the usages of civilized warfare and the dictates of humanity, considering the extreme degree of resentment kindled in the militia by the enormities which had signalized the landing of the marauders. They commenced operations by setting fire to a steam-boat, and to a guard-house, in which a small picquet which they surprised was stationed, burning in it one or two of its defenders; murdered, without the slightest cause or provocation, a staff surgeon of the regular forces, afterwards mutilating his body in a way too horrible to mention; and slew an inoffensive coloured man, simply because he declined to join them. A claim of 4,500*l.* has been made as indemnity for the destruction of the steam-boat above alluded to, but the case



has apparently been left in the same position as that of the *Sir Robert Peel*.

The number of the invading force was estimated at about four hundred men, the greater part of whom having the means of conveyance at their disposal, succeeded, after their dispersion, in making good their retreat into the United States' territory ; their egress from which had, as at Prescott, either been connived at or ineffectually resisted. It is but justice, however, to state, that the American military officer commanding on the station prevented, at the risk of his popularity, reinforcements from being thrown across, by cruising between the two shores in an armed steam-boat.

The same enthusiasm for the success of the hostile incursion that had been manifested at Ogdensburg, also displayed itself at Detroit, where thousands were assembled to cheer on the adventurers.

This was the last enterprize of the kind attempted ; its failure following so close upon the defeat at Prescott, and combined with apprehensions respecting the fate of the prisoners

taken on both occasions, sufficed to suspend further hostile demonstrations on the part of the conspirators in the States, who now accused the partizans in Canada, on whose co-operation they had relied, of pusillanimity, and an abject submission to the yoke from which they professed a desire to free themselves.

The trials of the captives were the all-absorbing topic which engaged public attention for some time afterwards. The majority were condemned to death by the militia general courts-martial, before which they were arraigned ; such sentence being carried into effect in the cases of seventeen individuals ; eleven of whom were the leading actors in the affair at Prescott, and six in that at Windsor.

These executions, though unquestionably both necessary and justifiable, were considered by many to have been far too long protracted ; the first, that of Von Schoultz, having taken place on the 8th of December, and the last not before the close of February. The end contemplated, of striking a timely salutary terror, would pro-

bably have been more effectually attained, had the infliction of the punishment more quickly followed the commission of the offence; by which means also, the indefinite repetition of a revolting spectacle would have been avoided.

The convicts whose lives were spared were not finally disposed of until some time afterwards. A considerable number of those, whose youth and inexperience pleaded in extenuation of their guilt, were pardoned, and set at liberty on the United States' territory in the course of the ensuing summer. Though much objected to in Canada, their liberation gave rise to considerable satisfaction in the United States; but despite of the assurances of gratitude put forth, it seemed after all to be there viewed, save by the parties themselves, and the respectable portion of the press, less as a boon than as a right which had been conceded. Nevertheless, the measure must be considered a very judicious one, and to have been dictated by a sound policy.

The remaining prisoners who could prefer no claim to similar clemency, had their original sen-

tences commuted to transportation, and were conveyed to Van Diemen's Land direct from Quebec, in company with a batch of convicts from Lower Canada, on board the Queen's ship *Buffalo*, in the month of October last.

The subjoined statement, compiled from official documents, shews the whole number of individuals captured in the various attempts to invade Upper Canada, during the winters of 1837-38, and 1838-39, together with the manner of their disposal:—

Acquitted by the several Courts* . . . . .	6
Pardoned on various grounds . . . . .	90
Discharged from various causes . . . . .	21
Died in the Hospital . . . . .	2
Executed . . . . .	17
Transported . . . . .	78
Remained in confinement towards the end of 1839	6
Total . . . . .	<hr/> 220 <hr/>

The year 1839, though not marked, as had been the two preceding years, by any actual invasion of the Canadian provinces, was nevertheless fertile as well of political agitation, as of

\* Including the self-styled General Sutherland, whose conviction was held to be invalid by the law officers of the Crown in England.

indications that the least relaxation of precautionary defensive measures on the part of the Canadian authorities and people, would entail at any moment upon the country a renewal of past calamities. Indeed, such was the feverish state of anxiety which general appearances induced during the greater part of the year, that the anticipation of some hidden danger being on the eve of explosion was continually uppermost.

Awaiting time and opportunity for attempting greater undertakings, the executive of the *Hunters' Association* would seem to have decreed a systematic crusade against life and property, wheresoever these might be assailable with impunity along the Canadian line of frontier. On the Niagara frontier in particular, this species of molestation was carried to the greatest excess, midnight incendiarism, robbery, and attempts to murder, being there of constant occurrence.

In the early part of the preceding winter, a gentleman named Usher, living in that district, was barbarously assassinated in his own house, under very atrocious circumstances. An Ameri-

can citizen, named Lett, has publicly avowed himself in various of the American border towns to be the perpetrator of the deed; boasting of it as a meritorious act, and declaring that he received for it a pecuniary consideration. No steps, however, to arrest this ruffian were taken by the United States' authorities, who uniformly turned a deaf ear to the applications made to them by the provincial government, to cause him to be brought to justice either in the one country or the other.

Lett further stands accused of leading participation in the conspiracy discovered at Cobourg in August last, the object of which was the murder of a selected number of individuals, and the plunder of the local bank. The majority of the desperadoes implicated proved to be American citizens, who had lately crossed over from the United States, for the express purpose of acting in this atrocious business. The existence of the plot was revealed by one of their number, a man named Moon, just on the eve of its explosion, and most of the miscreants were, on his evidence, secured; ample proofs of their premeditated

guilt being, besides, found upon them, or in the house where they were captured. Lett, however, having his suspicions of Moon's sincerity, had effected his escape, and being in disguise, got back to the States in safety.

Many curious revelations are said to have been made by the prisoners, respecting the designs of the Canadian malcontents and their partisans in the States; revelations tending to criminate many notable persons in both countries, who had not before been even suspected of favouring the "patriot cause."

Earlier in the season, a trooper in a corps of local cavalry stationed at Toronto, was arrested on the strength of some papers accidentally found in his possession, proving him to be an emissary from the American side, and revealing a design on his part to take the life of the Lieutenant Governor for the sake of a pecuniary reward. It was remembered, that on various occasions he had endeavoured to get himself placed on duty as an orderly at the Government-House, and had been very particular in his inquiries as to the whereabouts of the Governor's sleeping-room. To com-

plete the chain of evidence against him, there was found in his possession a minute sectional plan of the Government-House, and also of the fort and garrison at the western extremity of the town.

This worthy, as also those first mentioned, were tried and sentenced to various terms of imprisonment.

On a previous occasion, Sir George Arthur's life would seem to have been placed in jeopardy through similar agency, if a deposition may be relied on to the effect that his Excellency was aimed at with a rifle, while passing near Cobourg, on his way from the Lower Province, in October 1838, and only escaped by the weapon missing fire.

In May of this year, a very daring act was perpetrated by some marauders from the United States, in the robbery of the Upper Canada mail, between Kingston and Gananoque; the plunderers retreating with their booty, which comprised a considerable sum of money, into the territory from whence they had issued. A small portion of the money was accidentally recovered,



but redress for the injury, though the parties were well known, was unattainable; the American authorities, as in the case of Lett, not daring, or not desiring, to interfere with the working of the popular feeling against Canada.

Soon after the re-establishment of the naval command on the Lakes, which has its headquarters at Kingston, an agreement had been entered into between the naval authorities and one of the American military officers stationed on the frontier, for the purpose of undertaking in concert such measures as should insure the preservation of neutrality. The moment, however, that any fruits were likely to result from this arrangement, the American officer was seen to back out of it, by alleging that public excitement respecting the object to which it had reference, ran too high to admit of it being operative.

In like manner, on the occasion of the mail robbery just mentioned, a similar sort of understanding having been come to between the naval authorities and another United States' officer, went on well enough, until a practical benefit

was likely to accrue from it, when its letter in lieu of its spirit was regarded, and it became a nullity.

Regarding the case of the notorious Mackenzie, we may be assured from every concurrent testimony, that his imprisonment at Rochester was the result rather of his having rendered himself personally obnoxious to various persons in the States, and of the Americans having fairly become tired of him, than of a real desire on their part to evince abhorrence of the manifold crimes wherewith he had stained himself.

But an event, originating on the British side, of a nature far more calculated to precipitate immediate hostilities between the two countries than any I have yet narrated, occurred in the course of the summer. This was the seizure at Brockville by the collector of customs, on his own authority, of the American schooner *G. S. Weeks*, which, being on her way from Oswego to Ogdensburg, had stopped at Brockville to discharge a portion of her cargo intended for that place. The ground of the seizure was, an alleged irregularity in the papers of the schooner,

respecting a piece of ordnance which appeared upon her deck, and formed part of the cargo *in transitu* for Oswego. By a rigorous interpretation of the provincial law, prohibiting the entrance into Canadian ports of foreign vessels, with arms or munitions of war on board, this seizure might have been justifiable ; but under all the circumstances, and considering the ticklish state of the political relations of the two countries, it was, to say the least of it, neither a necessary nor prudent proceeding.

On the other hand, the exhibition of the gun on deck was extremely reprehensible on the part of the captain of the vessel, as tending to inflame, which, in effect, it did to the highest degree, the passions of the populace, who were still labouring under a keen sense of the nefarious invasions of the province during the preceding winter. The result was as might have been anticipated : on the collector deciding to make the seizure, the people, being now in the wildest state of excitement, boarded the vessel, forcibly possessed themselves of the gun, and paraded it with shouts of triumph through the town. The whole

difficulty might readily have been obviated in the first instance, without the slightest sacrifice of principle or honour, had the vessel been required to leave the port forthwith, with an injunction not to return to it, unless the obnoxious gun should be first left at its place of destination ; whereas, the proceedings taken terminated in an abandonment of the seizure under extremely humiliating circumstances.

On learning what had occurred, Colonel Worth, of the United States' army, repaired from Oswego to Brockville, in an armed steamer, filled with soldiers, and imperatively demanded the restitution both of the vessel and the gun ; intimating,—as his presence in such array sufficiently indicated,—that in case of refusal, hostilities on his part would ensue.

In this dilemma, the collector held a consultation with the civil authorities, when it appearing upon an inspection of some further papers, tardily produced by the master of the schooner, that the seizure was not so sustainable as at first appeared ; while, at all events, the physical means of resistance available were inadequate to

the emergency, the resolution was adopted of acceding to Colonel Worth's demand.

To avoid the appearance of a surrender on compulsion, it was stipulated on the one hand, and subscribed to on the other, that the schooner and the gun should not be given up until the armed steam-boat had withdrawn from the British waters.

At this stage of the proceedings, a British steam-boat, also armed, and with troops on board, arrived from Kingston. Had it made its appearance sooner, there can be little doubt that lamentable consequences would have ensued, as the naval commander would have felt himself bound to enforce Colonel Worth's departure ere any terms of adjustment could be listened to, and to deny his right to interfere in a matter purely of a civil nature, without trenching on the question as to whether the seizure were legal or not.

The original agreement was happily adhered to; but it required the aid of a military force on shore to preserve order during the transit of the gun to the wharf, and its replacement on board the schooner.

It is obvious in this affair, that if, as must be perhaps, admitted, the detention of the schooner and the gun were an uncalled-for act, well deserving censure, the conduct of Colonel Worth, in attempting to enforce their restitution by an armed demonstration, was to the last degree unwarrantable; clearly depriving the United States' government of any after right of civil reclamation, even assuming it in the first instance to have possessed one.

Nevertheless it is averred, and the report rests on very good authority, that the Federal executive has had the unparalleled effrontery, as in the case of the *Caroline*, to make a formal demand for indemnity on the Government of Great Britain in relation to this matter!

But I should fill a volume were I to attempt to narrate in chronological order of detail the various border occurrences, more particularly those emanating from the American side, out of which national strife might at any moment have arisen. Apart from the Brockville affair, truth compels me to add that a few isolated acts of trivial aggression against American citizens were

committed by the Canadians, under momentarily excited feelings, or while inebriated; but in every case, where requisite, ample apology or reparation was made by the provincial authorities; while, to the lasting credit of the people in general, be it said, such was their forbearance, that no positive retaliation was attempted for the bitter wrongs they had themselves sustained and were continually sustaining.

The dreaded 4th of July, the day on which, according to secret communications and general report, another formidable irruption was to take place, passed off without any thing serious occurring; though it was pretty well established that the state of preparation exhibited by the two provinces, rather than any voluntary forbearance on the part of those who meditated aggression, was the substantial cause of the preservation of order and tranquillity. A few ebullitions of anti-British feelings displayed themselves in various parts of the country, chiefly populated with American settlers, (noted for previous disaffection,) in the exhibition of republican banners bearing treasonable devices, and

either hoisted upon poles or carried in procession; but such attempts to excite commotion were rendered innoxious through their prompt suppression by peaceful means, and the actors in them were, for the most part, fain to indemnify themselves for their disappointment in a tavern carouse.

It was pretty generally known that, up to this period, cases of musket-barrels were constantly being sent from New York *via* the Hudson, their ostensible destination being principally Rochester. One such cargo was seen to go off in the care of a notorious French-Canadian rebel, dwelling on the confines of Vermont, who was in the habit of issuing from thence inflammatory publications, in the French language, for circulation among his deluded countrymen.

Later in the season it transpired, through an authentic source, that an extensive purchase of ammunition for the patriot service had just been effected in the city of New York, and transmitted to the frontier, to be there in readiness for use on the first occasion. Lastly, as shewing how unchanged remained the views of at least a por-



tion of the American citizens in regard to the affairs of Canada, so late as the end of August 1839, I subjoin, in the Appendix, a copy I procured of a very curious document, emanating from an executive committee, forming a ramification of the *Honourable the Association of Hunters*, while assembled in one of the towns of the State of New York.

As regards the chief events of domestic policy or import, of which the year 1839 was pregnant, the same were ushered in with the destruction by fire, on the 6th of January, of the episcopal church at Toronto; originating, as it seemed on an investigation of the circumstances, in accident rather than design. A very valuable organ, the gift, I believe, of a private individual, was destroyed in the conflagration, which raged so fiercely as to leave nothing but the bare walls of the building standing. On the score of architecture there was little to regret in the disaster, but very serious inconvenience was occasioned to a part of the community by its occurrence. A new edifice, raised on the old foundation, has since been built by means of the joint agencies of

credit and voluntary contributions, and towards the close of the year the outer structure was well nigh completed.

The only difference between the external appearance of the old building and the new was the addition to the latter of a light steeple, which, owing to the ingenious combination of shape, a tin covering, and a crooked cross surmounting the apex, looked for all the world like a well-polished extinguisher, whereof the handle had chosen to assert its independence by forsaking its usual place.

Nevertheless, the steeple, such as it is, imparts a degree of finish to the edifice, that gives it an advantage over the episcopal church at Kingston, and the Catholic cathedral at Montreal; both of those places of worship appearing, from the absence of a spire, as though they had been decapitated.

During the early part of the year, the public mind was rife with agitation and excitement on the subject of the Clergy Reserves' question; discussions respecting which had been revived, and conducted with their usual acrimony in the

House of Assembly. So undecided appeared to be the views and principles of the whole body of provincial legislators as to the mode of effecting an adjustment of the difficulty their collective wisdom was required to solve, and so strangely blended were individual religious feeling and political bias, that parties themselves were split into minute particles, and no two members seemed to entertain for four-and-twenty hours together the same set of opinions. It was at once both distressing and amusing to witness the inconsistency which prevailed in the debates, and to compare, as I afterwards took the trouble from curiosity to do (though I will not detain my readers with the results), the various schemes successively proposed and abandoned, revived and abandoned again, with variations *ad infinitum*, for unravelling this skein, needlessly rendered an intricate one. At the very heel of the session a Government measure was introduced providing for the realization of the Reserves, and leaving the after distribution of the proceeds to the British Parliament; the same being finally carried in the Assembly by a majority of *one*!

The Bill, which was necessarily a reserved one, never became an Act; since the British Government declined to recommend its confirmation, on the ostensible ground of some informality in passing it.

Had those persons in England who, either from the institution of false analogies, or from ignorance of the peculiar *local* circumstances of the case at issue, are so clamorous in their outcry against the alienation of any portion of the Reserves in question from a purely episcopal clergy, been resident in Upper Canada at the period to which I allude, they *must* have been convinced of the fallacy of the arguments they adduce in support of their premises; and may even now become enlightened on reference to the records of the provincial legislature incident to the occasion, and, above all, to the tone and spirit of the colonial press.

To agitation on the Clergy Reserves' question, succeeded an all-absorbing interest created by the appearance of the Earl of Durham's Report on the affairs of Canada. It was, of course, favourably or unfavourably received by different

parties, according to the various degrees of their peculiar bias, self-interest, or prejudice; but, on the whole, the document in its general tenor must be said to have been one of great popularity with all, save a very exclusive class of persons.

The proceedings which took place in the provincial legislature in regard to this publication, offer a very limited criterion whereby to estimate the sentiments of the community at large; nor do they in the least militate against the foregoing conclusions, which relate exclusively to the generality of the various constituencies, and not to their representatives.

The summer and autumn were signalized by meetings in various parts of the country, for the discussion of the subject of what was termed responsible government, and a very large proportion of its advocates included men whose attachment to British connection was undoubted, and who had already made every effort to preserve it. It may be assumed, therefore, that they would not have supported the responsible system but for the sake of carrying out, by its

agency those economical reforms on which they felt the future prosperity of the country to depend.

These meetings, for the most part, went off quietly, ending in the passing of resolutions only, and would have done so in every case had not adverse feeling induced a few attempts to put them down. At an assemblage of this nature, on the Yonge Street Road, in October, the partizanship of the sheriff of the district occasioned a serious disturbance, in the confusion of which a man accidentally lost his life by falling from his waggon, the wheels of which passed over his body. Both parties, however, were to blame, but most so the "Anti-responsibles," since they went from Toronto avowedly for the purpose of driving their opponents from the ground.

It must be obvious, that, as a representative form of government *has been given* to the Canadian people, a system of responsible government, limited in its operation to purely domestic affairs, is both necessary and expedient under existing circumstances; while a disposition to

concede this privilege to an extent, has already been evinced by the home Government, as shewn by Lord John Russell's recent despatch, authorizing the removal of public functionaries in cases where their views or conduct may prove obstacles in the way of the well-working of the government.

But, apart from the consideration of the abstract question of a prescriptive right, it must be remembered that, unless the affections of the people be secured, Canada cannot be retained ; and that, therefore, whatever the majority of the British population may consider conducive to their good, must, from the very necessity of the case, be yielded to them. If they be reckless, and evince a desire to sever prematurely the state of colonial connexion with England, they must, from the circumstances of their geographical position, attain their object ; but if, as now, they evince a disposition to draw closer the bonds of such connexion, contingent on their reasonable demands being complied with, it is surely something worse than folly to trifle with their expressed wishes.

By the timely employment of judicious means, Great Britain *may* retain, for an indefinite period, her North American provinces, in despite of the machinations of the neighbouring Republic; but she cannot hope to do so if their British inhabitants *will* it otherwise; and their attachment being thus her mainstay, it behoves her rightly to appreciate its value.

In conclusion, it may not be irrelevant to the subject-matter to observe, that it is, perhaps, after all, a very questionable point, whether, in regard to the Canadian provinces, a representative form of government should not have been withheld, until the country were *qualified*, *cæteris paribus*, for a supreme local executive, when both might have been accorded with greater advantage than the first alone; which, practically, so far from having proved a means of promoting the qualification needed, has, in effect, by its evil working, hitherto served to thwart it.

But the gift having been conferred, cannot with safety or propriety be resumed; though as a *general principle*, we may be assured, that its



premature possession by small communities, only serves to set them by the ears, by creating in them undue pretensions to the substance of that whereof they have the shadow : for the very essence of a representative form of government being independence, is in itself *virtually* at issue with colonial relations ; and hence, inherently possessing a corrosive tendency, must inevitably, *unless surrounded by efficient safeguards*, precipitate separation ; which, to prove salutary, should result alone from the natural maturity of the weaker party, attained through the protective medium of the strong : since, otherwise, the former, overshooting the mark, would find itself in a position which, neither morally nor physically, it would be able to maintain.

My narrative of the chain of occurrences, political or domestic, which have the most strongly marked the history of Canada within the last few years, here terminates. I am unable to extend the record to a later period, since I left Toronto, on my return to England, very early in December ; the last event of public interest I had an opportunity of witnessing being

the opening of the Provincial Legislature on the 3d of that month, by the Right Hon. C. Poulett Thomson, who had just before arrived from the Lower Province, to assume the local government.,

## CHAPTER V.

General Review of the Conduct of the American Authorities throughout the proceedings herein-before narrated.—Development of the Designs of the Republic on British North America.—Insidious Policy practised.—Identification of the Maine and Canada Questions, viewed in conjunction.—Revelations regarding Implied Intrigues of Russia, in fomenting disturbances in Canada.

How great soever, as in the abstract they may be, it is after all far less *inward elements of discord* that England has to fear in respect of her North American possessions, than *outward elements of aggression*, whose moral influence and physical weight, by their susceptibility of being brought at any time to bear upon the first, impart to them a quality of inherent strength which they would not otherwise possess. It is doubtful if the annals of history could furnish a parallel to the moral turpitude and the positive guilt which have marked the conduct of no inconsiderable portion of the American citizens,

in the prosecution, for a long time past, of their nefarious designs against a neighbouring people, with whom they are nominally at peace, who have done them no wrong, and whose sole offence has consisted in the rightful occupancy of a territory the possession of which is eagerly coveted by their assailants.

It matters little to those who suffer by their effects to what primary cause such measures may be ascribable;—whether they originate in political institutions of a defective character,—in unsound laws,—in a laxity of moral feeling,—in the sheer depravity of human nature,—or in all these things combined: it is not for them to care about the investigation of their nature, seeing that no remedial measures admitting of application are vested in their keeping; but it is of the utmost importance to them to be preserved from the periodical recurrence of the evils flowing from them, and not to be subjected, as in effect they are, to the extreme hardship of being continually in arms, for the defence of their lives, their property, and the sacredness of their homes.

To say that this relative position *is a consequence of a state of colonial dependence*, conveys no satisfactory answer to the complaint preferred; because, it must be first established that the bulk of the complainants, if deprived in their present weak condition by a severment of connection, of such protection as England is able to afford them, would not, in reality, *be more exposed* to the assaults of lawless rapacity than heretofore, and be equally liable to the spoliation which has already been attempted.

But, in conjunction with this view of the case, remains also to be considered the momentous question of England's impaired vitality; first, by the prostration of her dependencies by hostile hands; and, secondly, by the *future strength* of those dependencies developed by such hands, and not, as they should be, by her own, being turned against herself.

Regarding, with relation to the affairs of British North America, executive government and authority, as constituted, or, rather as practically understood in the United States, we have only to take a brief retrospect of the past to ar-

rive at the conclusion, that the conduct of the official functionaries representing such government and authority, from the affair of Navy Island to the present time, has been based on one of two latent springs of action—insincerity or impotence; if not, indeed, on an union of both.

On the first of these hypotheses,—judging by the contrast of professions with results,—the constituted authorities of the Union, whilst claiming credit for the actual employment of vigorous preventive measures, would have been throughout desirous to let the reiterated experiment of invading Canada by American citizens go on, for the purpose of insidiously effecting, without any apparent participation of their own, at a price less costly than that of war, the acquisition of an extensive territory, long forming a primary coveted object of the national ambition.

On the second hypothesis, assuming them to have been actuated by sincerity of motive, their moral power being a nullity, they would have shrunk intuitively from bringing into direct collision with the popular will, on whose breath their official existence depended, the means of

resistance *nominally* at their disposal, to control its excesses, from a conviction that the consequences would recoil very fearfully upon themselves.

Hence, the means of preventing aggression by native citizens on a friendly, unoffending power, are in reality at their disposal, or they are not. If they be, the result has shewn, during the period mentioned, that they have not efficiently employed them; while, otherwise, they have professed to exercise a power which they did not possess; and in either case must stand convicted of duplicity at the bar of nations desirous to retain the appellation of civilized communities.

In a word, we have seen the American government favouring Great Britain with the expression of its best wishes, for the preservation of neutrality, but remaining perfectly incompetent or unwilling to enforce even the semblance of such neutrality, on the part of its border citizens.

By a further parity of reasoning, the conclusion follows, that under existing circumstances, the American citizens are unsafe neighbours;

but it does not equally follow that those who have the misfortune to dwell in their vicinity are, *therefore*, to insure the preservation of their lives by the abandonment of their possessions, at the requisition of lawless rapacity and tyranny ; for the admission of such a doctrine, whether as regards nations or individuals, would be at once subversive of the fundamental laws of social life.

So long as a plan for actively interfering in Canadian affairs was wanting, the citizens of the Union could not very well create one ; but when from incidental circumstances—hastened, peradventure, by their own wily machinations—it is offered to them, they are seen to cling to it with a degree of tenacity which sufficiently reveals not only the pre-existence of a cherished purpose, but a feeling of deep-seated enmity to the race from which they sprung, as ungenerous as it is certainly unnatural.

The pretext eagerly sought for being furnished by the events which took place in Canada in the winter of 1837, it has been ever since the endeavour of the American citizens to keep the question open, and the public mind excited,



from a perception that it would be a task of less difficulty to preserve in being than to resuscitate, the demon of mischief, created opportunely for their purpose.

Failing, therefore, to carry into immediate effect their design of overrunning Canada, their next great object preparatory to the renewal of such a measure, would be, as in effect it has been, to prevent the country from settling down to a state of permanent tranquillity, with a view to check, save by themselves, that development of its great natural resources, by the united means of capital and labour, which, if accomplished, would prove so formidable a barrier to the accomplishment of their ambitious schemes.

After the summary suppression of the first Canadian insurrection, and the manifested attachment of the bulk of the entire British population of the two provinces to British institutions, it is not perhaps hazarding too great an assumption, that no further attempts to disturb the public peace would have been made by the disaffected within the country, had not their expiring hopes been revived by extensive aid,

promised or expected, on the part of American citizens : while here, a practical illustration is at once afforded of my preliminary remark respecting the bearing of outward influences on internal elements of discord.

In both provinces, the objects immediate and prospective of the disaffected were identical, and in both the same means to the attainment of a common end were put in requisition ; but, apart from their criminality, it must be obvious, that the real motives of action of the respective parties were as dissimilar as were their creeds and their capacities.

It has been shewn that the disaffected constitute in the Lower Province the majority, and in the Upper Province the minority, of the population. The first are disaffected by nature, from habit, from ignorance, and from feeling ; the latter from principle, association, and restlessness for change : but the result has proved that either body, from the superior moral energies of its counterpoise, will become positively dangerous or formidable in proportion only as it may be acted on by the influence of outward agents.

Reviewing, with reference to what precedes, the *past relations* of the United States with *Canada*, in connexion with *subsequent occurrences*, on the Maine and New Brunswick frontier,—with the *spirit* of the debates which have ensued thereon in Congress,—with the *measures* in relation thereto, that have been taken by the nominal executive,—with the *tone* pervading the American press, and, above all, with the *feeling* which seems to animate the great bulk of the community, constituting, in fact, the real government—no other conclusion can be formed in the mind of the least biassed observer, even if doubt before existed, that it is the settled purpose of the Republic to sweep, if possible, of all jurisdiction but its own, the entire continent of North America ; and that the attempt having been begun, as one means fails others will continue to be successively resorted to, either until success shall be the crowning result, or constant disaster and defeat shall prove success to be hopeless.

But let not the period when, nor the circumstances under which, the American citizens seek

to carry out this one great design, be overlooked.

They see, from the lowering aspect of affairs in other quarters, that England is in a fair way of being embroiled with one or other of her insidious enemies ; they are aware that the state of European politics is such, that a spark applied at almost any point would kindle a general conflagration ; and thus availing themselves of what they consider a favourable opportunity, when England is likely to have her hands full, they seek tacitly to coerce her into compliance with the most preposterous demands. In fine, just as the slippery game of European politics may fluctuate to the weal or woe of England, so will the plans of the United States in regard to her North American possessions be retarded or accelerated. They will acquire those possessions, *if possible*, without war ; but, otherwise, will avert the period of such war until they can undertake it with a probability of success.

It must have been painfully obvious to every person anxious to see peace preserved between the two countries, that it was seriously en-

dangered *from the moment* when the Republicans received with honour and distinction, amounting to acclamation, the first rebel fugitives from Canada ; for the application of this touchstone revealed a general state of morbid feeling most startling to behold.

The occurrences which had caused the flight of the individuals in question, were too strictly in unison with the secret views and wishes of their entertainers, for them not to determine that the ball which had been so opportunely set in motion, should be kept thenceforward rolling. No sense of honour, no sense of justice, no sense of duty towards England, would have been allowed to operate against their own interests and inclinations could they, without danger to themselves, have then thrown openly their balance as a nation into the scale.

But short of this they were prepared to go ; and if, whilst amusing England with professions of good faith and moderate desires, they could only attain their cherished object by insidious means, they need care but little for the after-consequences, seeing that they would have been

well indemnified beforehand for the retribution they would have provoked.

Let any one who has pondered over late events, deny, if conscientiously he can, the reasonableness of these conclusions. Time gives to collective data an increased value to that they may possess, if considered singly at the moment of the occurrences to which they bear reference: if circumstantial evidence be sometimes permitted to hang an individual, of whose guilt no moral doubt remains, it may surely suffice to convict a community.

The attempt to win Canada by a *coup de main*, that is by revolutionizing it, through the medium of domestic malcontents, and then overrunning it by predatory hordes, having met with the signal discomfiture that it merited, the aggressors had to devise a fresh plan of operations in order to preserve their cause from languishing. Hence, such was the quickened state of the public pulse, such the morbid nature of the virus, that the contagion, raging theretofore in Ohio and Michigan, was seen at once to

*transfer* itself to distant Maine as though by a galvanic stroke !

Let it be borne in mind—for the fact is an important one — that the present clamour respecting the disputed territory, did not fairly commence until *after* the winter of 1838, when a second attempt to wrest Canada from Great Britain, by means other than open warfare, had been made and frustrated !

It was clearly only with reference to the *mode* of acquiring Canada that the Republicans differed ; the majority of them agreed in the desirability, and united in the wish, but it required that previous endeavours should have failed, to warrant the general determination now evinced, that the broad mantle of Maine should cover the next *coup d'essai*.

In a word, it was not thought worth while to risk hostilities on the North Eastern boundary case, so long as it remained *unproven* that Canada could be won by the means actually employed.

This open question, being a peg whereon

to hang, at any convenient period, a quarrel covering a latent design, was too invaluable to be closed by an equitable adjustment. Thus the unanimous voice of the Republic demands from England the almost unqualified cession of a tract of territory the possession of which would virtually throw Canada into her lap, and intimates that the alternative of non-compliance with this exorbitant requisition shall be war! Making this the apparent ground of quarrel, the real object to foreign eyes is less apparent, and a show of self-justice is made, to sanctify an act which in effect is one of monstrous political depravity.

The very anxiety of the Republic on this point, at a junction like the present, should alone enlighten England as to the true state of the question, and teach her the real value to herself of a portion of the disputed territory, even if its geographical position did not sufficiently point it out.

Maine is *made to interpret* as it suits her purpose the treaty of 1783, and suddenly to enforce her views by an armed demonstration of



a nature to *invite* collision. She rejects contumaciously the award made by a disinterested third party, notwithstanding that it gives her very great advantages ; demands more than she ever before presumed to ask ; and declares that she will submit to no adjustment other than she dictates, the terms of which she knows to be inadmissible, unless upon compulsion.

Maine is, in fact, put forward to play, as though her own, the game of the whole Union, whose representative, knowing that he is uttering the sentiments of the masses which control him, exclaims, with assumed coyness, “ I cannot coerce Maine from acting in her individuality if she see fit ; but I am constitutionally bound to afford Maine the benefit of the federal aid if she involve herself in hostilities with a foreign power ; and therefore she must be allowed to act with impunity, if peace be coveted ! ” Such is practically the language now held by the United States of North America towards Great Britain.

The self-same farce was enacted throughout the Canada troubles, fomented by American

agency, and maintained by American interference.

The state arsenals were pillaged—recruits raised—the Canadas invaded—without any *real* effort on the part of the American authorities to prevent either the one or the other act. But immediately those who were suffering from the excesses committed, asserted their right to retaliate upon their aggressors, they were warned “off the premises,” and reminded of the obligation of the federal executive, to *protect* and defend under all and any circumstances, the citizens whom it had before been impotent to restrain. In other words, the executive could *shield* them from the penalty of their transgressions, because they *willed* that it should do so; but it could not *prevent* their misconduct, because they *forbade* its interference !

I rail not at Republicanism in the abstract because of its evil working in the United States, but I regard it as I there see it brought to bear on the welfare and interests of another people, and as prejudicially affecting that welfare and those interests from the want of a regulating

principle, which, by causing it to harmonize, as well with social as with national obligations, should ensure permanent good relations, amity, and peace.

The arguments deducible from the foregoing premises, lead to the conclusion that the American democracy being virtually the government, it is with that democracy that England has in reality to deal, and not, as is apparently the case, with a government properly so called, capable and willing of itself to act upon a fixed rule of conduct, based on principle and justice.

In considering the past and present aspect of affairs on the North American continent, there remains another cause to be adverted to, as having exercised—and as still exercising—apart from mere political considerations, a decided influence on the conduct of American citizens in regard to Canada.

I allude to a subject which I have not before seen mooted, but which very forcibly impressed itself upon my mind during my residence in Canada, and frequent intercourse with American citizens.

It may be admitted as an axiom, that when a nation is prospering, and its inhabitants in general are individually well to do, there is but little fear of their neglecting their own concerns to interfere with those of other people. But when the converse is the case, when distress or discontent prevails, and when the public mind is left, as it were, to prey upon itself,—then is an inclination engendered on the part of the restless and enterprising spirits of a community to excite, or, if already excited, to participate in commotions elsewhere, which shall serve to distract their attention from the contemplation of the disordered state of affairs in their native land, or enable them to enforce particular doctrines on which before they have only had leisure to theorize. The peculiarity of this state of things consists in the anomaly, that with nations, as with individuals, there is a disposition to imagine others wrong, for the purpose of setting them to rights, according to self-conceived notions, in lieu of first performing that friendly office for themselves.

It is by no means necessary to cross the Atlan-

tic for illustrations of this remark ; but on the continent of North America the theory propounded has been more strikingly exemplified than in other quarters. But to the point. The disruption of social order (never effectually repaired), which took place in the United States, consequent on the great commercial and monetary crisis of the spring of 1837, threw into dangerous activity a mass of mind, theretofore absorbed in pursuits of gain, and, in like manner, threw into dangerous inactivity a very large amount of bodily labour.

Both had, therefore, to seek fresh channels of employment ; the vast prairies of the west took off a large portion of the better quality of each, but far too much of the refuse remained behind ; and hence, when the insurrection broke out in Canada a few months afterwards, an accumulation of inflammable material was at hand to fan the flame of the conflagration kindled.

By depriving them of their accustomed employments, the first occurrence laid the foundation of a sort of erratic *vagabondage* on the part of those who were equally devoid of fixed prin-

ciples and fixed means of subsistence ; while the second, by arousing their natural cupidity for the possessions of their foreign neighbours, at the same time with the latent desire of national aggrandizement animating the great mass of the community, held forth temptations which the general low tone of moral feeling in respect of national as well as social obligations was insufficient to overcome.

It is an error to suppose, that the liberation of Canada from British rule was a cherished object only with the northern and north-western border population of the Union. That population, from the circumstance of contiguity to the scene of action, and of actual participation in what took place, stood more prominently forward than the rest ; but, with the exception of those classes of the community *immediately* interested in the preservation of peaceful relations with England, the sympathies and good wishes of the whole American people may, without exaggeration, be said to have been more or less strongly enlisted in the success of a cause

which they considered as promoting, by indirect means, an object of their national solicitude.

It is not by what was said or done in the Atlantic cities of the Union,—in this town or in that,—with the view to preserve appearances, that we must judge of the general state of feeling in this matter. The only means of appreciating it rightly, was and is to traverse the different States, more especially those bounding the British provinces, converse indiscriminately with the inhabitants, and compare the notes of observation so collected. They who have done this have been startled at the result of their inquiries,—at the extent of the deep-seated animosity rankling in the American breast against the British name and people,—and have been convinced that nothing but a salutary fear, (now daily waning,) of England's power, can counteract the *propensity* to aggression inseparable from such a morbid state of feeling

To the partially influencing cause which I have mentioned, must be superadded the dangerous contemplation of the successful issue of the nefarious attempt on Texas; the institution

of a false parallel,—since no analogy existed,—between the case of the Canadian insurgents and that of the old American revolutionists ; a notion, founded on appearances, that the severment of the colonial connexion was secretly desired by the British ministry ;\* and, lastly, a recklessness of consequences, an inordinate self-vanity, and an indifference to means so that ends were answered — all peculiar features in the American character.

To believe that mere passing incident, rather than premeditated design, has worked out these results, would be almost a perversion of intellect. Time and opportunity serving, America commenced the game which she had to play ; and though hitherto foiled in two successive bouts, is following it up with a degree of pertinacity commensurate with the importance of the object which she hopes to accomplish.

But, as resulting from this line of conduct, there is a further point to be adverted to. Themselves the aggressors, the American citizens are seeking to reverse the appearance of the fact, so

\* *Vide* Appendix.



that a colouring of justification may be given to their after measures *in petto*: while, in anticipation of the claims which it is felt that England has a right to make upon them for the positive injuries which she has sustained by their repeated violations of her territory, they seemingly contemplate the balancing of all accounts by the application of a sponge to the sum total of the score, in order at once to escape from a present dilemma, or, in their own phraseology, “an awkward fix,” and to hasten the *denouement* of the plot thus far unravelled.

Hence their constant harping on the perfectly justifiable, howsoever impolitic, transaction of the steam-boat *Caroline*; as also their demand for indemnity for the destruction of that vessel, and for the detention, under the circumstances already narrated, of the schooner *G. S. Weeks*, at the port of Brockville. Hence their *affecting to feel alarmed* at the amount of the armed force which, in consequence solely of their machinations, England is compelled, at a ruinous expense, to keep on foot within her North American provinces. Hence, in fine, their past and

present clamour respecting the disputed territory lying between the borders of New Brunswick and Maine !

If this territory, on the exclusive possession or on the equitable division of which, appears to hinge the momentous question of peace or war between England and the United States, involved, *de facto*, no other consideration than that of its abstract worth, it need perhaps require but a stretch of generosity on the part of the former to yield it to the latter as a boon—even as an indulgent parent gives to a petted, pouting child, a worthless bauble wherewith to stay the clamour of its discontent: albeit a rod might prove the more fitting remedy.

But considering the question at issue by its own merits, it is obvious that the claims preferred by the Republic strike, as it is intended that they should do, at the vitality of British interests; since, by acceding to them, England must depend for access to Canada, during nearly one moiety of the year, upon the sufferance of the Republic; and thus a persistence by the latter in claims involving such undue sacrifices, would

leave England no alternative but the resistance of a fratricidal war, or the commission of an act having a suicidal tendency ! Without caring to enter, under these circumstances, into a nice disquisition on intersectional lines, it is sufficient to advert to the matter of discussion on its broad principles ; and to disclaim generally,—whilst advocating from a love of peace and justice, a fair adjustment of the difficulty,—against any concessions being made to clamour, that would bring to within a span of the waters of the St. Lawrence, the banner of the United States.

But let it not be supposed that by deferring even thus far, from false notions of expediency, to the views of the Republic, future peace and tranquillity would be insured : far from it. The elements of discord would be as great, if not greater than at present ; and nothing beyond a brief respite would have been gained.

The boundary of the United States extending to the point designated, the free navigation of the St. Lawrence is speedily demanded. Would it be conceded ? Possibly it might, on the same plea of expediency as before. But otherwise,

what is the consequence? War; an assault on the British provinces with the whole energies of the Union; and, considering the impoverished means of resistance they would then possess, their complete subjugation in detail.

Is it asked what object the American citizens have to gain by the expulsion of Great Britain from the North American continent? The reply is—"All, and every thing."

In the first place, they would become perfectly invulnerable by land. Secondly, they would be relieved of their anxiety respecting an indefensible line of inland frontier, fifteen hundred miles in extent, and would practically reduce such extended line to the mere breadth of the St. Lawrence just below Québec, where a boom thrown across the river, would, in any emergency, insure them from assault. Thirdly, they would acquire a port on the Atlantic (now wanting to them), capable of fostering any number of vessels. Lastly, they would be able to devote their whole energies without the slightest fear of interruption from any foreign foe, to those great objects of their ambition, the unlimited increase of their navy,

and the rapid extension of their manufactures of all kinds; so as, in the one case, to be in a condition to dispute, at no distant period, the supremacy of England on her own element, and consequently, to threaten her security; and, in the other, to enter into a successful rivalry with her in every foreign market.

It is from this enlarged point of view that we should accustom ourselves to consider the ulterior consequences of the annexation of the British North American possessions to the great Republic. Even assuming that political disunion should, as is probable, at some time or another, cause the motto of that Republic to be reversed, in what would such circumstance militate against the conclusions here drawn, if unity of mind and purpose in regard to objects *not* of a domestic nature, be preserved inviolate?

For the reasons stated, we may rest assured that, notwithstanding so many rife causes of domestic discord within it, there will be no falling to pieces of the American Union—that flattering unctious which so many lay prematurely to their souls—so long as there remain on

the North American continent a great European power; whose presence, while creating a feeling of bitterness difficult to describe, is perhaps the very hoop which binds together the staves of the ill-constructed cask that is seen incessantly whirling in the eddy of conflicting elements.

The Americans both feel and know that they cannot afford to plunge into anarchy of this kind under existing circumstances: what they might do were they free from the observance of their British neighbours is another question. But, even then, of this we may be certain, that in all matters tending in the least to affect them in their foreign relations, they will always be *animated as now, by the strongest possible feeling of nationality, in its most rigorous sense*, and capable of uniting their means and energies, in the promotion of any measure involving objects either of a common aggression or defence.

Considering, therefore, all these things; considering that the political aggrandizement of America can only be effected at the expense of England, in the western hemisphere; consider-

ing further, that the point at issue is purely a matter of degree; let us examine into the means at England's disposal for averting the evil wherewith she is imminently threatened.

Instead, then, of looking on her North American provinces, as mere colonies, and instead of seeking to retain them *as such* for an indefinite period, England should regard them as *parts of a future nation*, and, treating them accordingly, should qualify them to become such. The rule of generalization she has adopted with regard to all her colonies indiscriminately, without sufficient reference to the peculiar local circumstances of each, has constituted the great evil of her system of Colonial Government.

What is suited to detached islands is unsuited to continents, or sections thereof, nor could any thing prove more fatal, in the case of Canada, than continuing to act on a contrary belief.

In her past treatment of that country, England has practically borne out the remark of Bentham,\* who says, in speaking of colonists,

\* Rationale of Reward. B. 4, Chap. 14.

“ little is cared for their affection, nothing is feared from their resentment, and their despair is contemned.” Let it be hoped that her future policy will be of a different character.

Inasmuch as, for the reasons stated, it will be henceforth the endeavour of the American citizens (if present war be averted) to retard or stunt the growth of the Canadas, so long as they remain British Colonies, so should it be the endeavour of England to counteract those machinations, by working steadily towards the end of raising Canada to a condition admitting alike of self-government and self-defence ; transferring, at a ripe maturity, a present weak dependence into a strong independent power, which, from the triple bond of feeling, interest, and similarity of institutions, should possess a natural leaning towards herself, and become an efficient local counterpoise to the ambition or hostility of the United States.

Before this consummation can be effected, much will of course require to be done ; and while raising up Canada with one hand, England will require to ward off the United States with



the other—her power to do so being gradually strengthened in the progress of the work, by the adoption of judicious measures in the outset.

A marked repugnance to amalgamate with the United States has been manifested, in a way not to be mistaken, by the bulk of the British population of Canada, and all, consequently, that is now demanded, is to turn such feeling to a lasting profitable account.

To this end, in lieu of frittering away invaluable time in profitless legislation, for a weak, scanty population, it is of paramount necessity to increase forthwith the physical strength of the country, through the medium of immigration, whereby alone can present precarious tenure be converted into future security of possession, or any durable superstructure raised.

I have elsewhere adverted to the obstacles in the way of such an immigration as is needed ; but they will not be found insuperable, if the remedies suited for them be timely applied.

To conclude. If England effectually sustains her North-American provinces *now*, they will prove a shield to her hereafter ; whereas, if she

loses them prematurely,—that is, before they are sufficiently qualified to stand alone,—their future strength will be turned against her.

The great object of colonization of the ancients was this; and while taking care to do their duty towards the distant communities they had planted, so long as they needed their assistance and protection, they insured from them in return, both gratitude and attachment.

Among the many strongly-marked features of the Canadian drama enacted during the memorable period to which these reminiscences refer, was that of a belief, amounting indeed to a strong moral conviction, on the part of numerous intelligent individuals in the British provinces, in the agency of the Russian Government having been secretly employed to foment the troubles which took place; as also in the existence of a secret good understanding on Canadian matters, between that government and the government of the United States.

It would be but little flattering to the usual sagacity of Russian diplomacy to suppose that Russia aims at *supplanting* England in the pos-

*session* of her North-American provinces, because it is sufficiently apparent that America would tolerate the presence of no other European power in her vicinity were England thence expelled; but it would be still less flattering to Russian diplomacy to ascribe to it a want of perception that Russian, as opposed to British interests, might be materially promoted by successful rebellion in England's dependencies, or a want of inclination to act in consonance with such view, when and wheresoever a favourable opportunity of doing so might present itself, whether by accident or design.

Throughout the occurrences which, within the period mentioned, have disturbed the peace of Canada, and indeed down to the period of my quitting it, various suspicious circumstances transpired, calculated to leave but little moral doubt—positive proof being, of course, in such cases almost impossible—of Russia having indirectly lent herself to aid the schemes of those who were plotting and endeavouring to wrest the Canadian provinces from British sway.

In corroboration of such view, may be ad-

duced the following points of collective evidence, which rest on the recorded testimony of individuals whose means of acquiring accurate information were said to be undoubted, and who had no necessary connexion with each other.

I know not how far it may be generally known, neither am I aware if the real facts of the case have hitherto in any way transpired, but in the winter of 1838, a Russian diplomatic functionary from the United States visited Lower Canada, and when in Montreal, had, it seems, his travelling equipage seized and examined by the local authorities. It is true that nothing implicating him was discovered on an examination of his effects, but he was informed that the step had been taken on the strength of adequate testimony against him ; while, shortly after the event, it was said to have been declared by a competent authority, that conclusive proofs of the Russian's criminality resting on legal evidence and sworn depositions of facts, had been adduced in the first instance, and that, judging by all the circumstances, no moral doubt whatever could

be reasonably entertained of the efforts of Russian emissaries in America being directed to incite disaffection in the Canadas.

On a subsequent occasion, a Canadian political refugee, of some eminence, residing in the United States, is stated to have said, in alluding to the object of M. Papineau's visit to Paris, that it was not from the *French*, but from the *Russian* Government, that he expected succour in the execution of his plans for the deliverance of Canada from British rule: further remarking that there had always existed between the Russian Government and the "Patriots," a very deep sympathy; while he had good reason to believe, that upon the occasion of the first outbreak of the French Canadians, in 1837, a person connected with the Russian mission in Paris, caused an intimation to be made to some one in that capital, of the good wishes of the Russian Government for the success of the "patriot" cause, and of its desire to afford thereto if possible substantial assistance. As a conspicuous adherent of M. Papineau chanced to be in Paris about the time specified, the belief prevailed that

it was to him, or to some member of the American embassy there, that the foregoing alleged information was imparted.

Another Canadian, residing in New York, who, without himself being an actual partisan, was understood to be connected by parentage with some members of the "patriot" party, and was known to be on terms of the most confidential intimacy with many of its active emissaries, was also said to have made disclosures implicating certain Russian officials in the States, and tending materially to confirm the allegations hereinbefore mentioned. *He* is, moreover, reported to have stated, as the result of special inquiry, that there existed a strict alliance between the rebel Papineau and the Russian Government; that from the latter, liberal assistance was to be furnished for the support of the "patriot" cause; that Papineau was gone to Paris for the express purpose of negotiating more conveniently with the Russian Government; and that arrangements even had been made to admit of his being conveyed from thence, in a quiet way, to St. Petersburg, to confer personally with the Emperor.

To the latter part of the story, in particular, the individual alluded to is said to have adhered with the greatest pertinacity; and, as shewing the general degree of weight attaching to his testimony, it was averred that he had forewarned the General Government of Canada of what was about to happen, long prior to each of the two successive insurrections which took place, and that subsequent events fully confirmed, even to minute details, all that he had predicted, both as to the means and ends, as well as to the deliberations and movements of the leading actors: mention being made, among other things, of an extensive supply of arms from New York that was in effect furnished.

According to this man's alleged further statement, it would seem to have been generally understood amongst those with whom he associated, that, in 1838, money was paid by a Russian agent for the purchase of arms for the "patriot" service; and that such money passed through the hands of a Frenchman in New York, whose *name assimilated precisely* with that of a second Frenchman, engaged in extensive mer-

cantile transactions in the same city, who was *known* to be a prominent member of a secret club there, termed “*Société de Bienveillance*,” devoted to the interests of the “patriots;” was in strict intimacy with many of the leading rebels in Lower Canada, and also discovered to be in direct communication with M. Papineau, at Paris. It was furthermore represented, that through this channel, proof sheets of Papineau’s inflammatory writings, published in the French capital, were constantly transmitted by the French packets, in order to be reprinted in the States, the copies being sent from thence to Lower Canada, for the purpose of circulation among the *habitans*.

Another Frenchman, zealous in the patriot interest, whose means of subsistence were a mystery, and who lived at the *Café Français* in New York, a notorious place of resort for obscure foreigners, and French Canadian political refugees, claimed, it is averred, as his particular friend, a Russian diplomatic functionary in the United States, whom he represented as being warmly enlisted in the “patriot” cause; adducing, in support of this allegation, the still more extraordi-



nary one, that both Hindelang and Von Schoultz had conferred personally with the functionary in question before they proceeded to the northern frontier, in the winter of 1838, to engage in the expedition against Canada, which, as regarded themselves, terminated, as may be remembered, in the forfeiture of their lives upon the scaffold.

According to all accounts, an intimate acquaintance and a constant associate of the same functionary, was an American of disreputable character, who was represented as having been living for many years by swindling practices; had been publicly accused, without, on his part, any attempt at refutation, of effecting the ruin of some respectable individuals by fraudulent transactions; was a close ally of the notorious William Lyon Mackenzie, an abettor of his proceedings, and also one of that worthy's bail on the occasion of his mock arrest by the American authorities, shortly after his return from Navy Island.

Nor was the alleged connection of the Russian official with this very reputable character confined to mere intercourse, if reliance may be

placed on the asseverations of third parties professing to have cognizance of the transaction, that bills of exchange to some amount drawn by the former on St. Petersburg, were given by him to the latter, for the purpose of being discounted. How the proceeds were applied did not certainly transpire, unless they may be associated with the purchase of arms effected through the Frenchman already mentioned.

Another grave circumstance of at least suspicion against the Russian, was the alleged fact of his sudden return to New York a few days previous to the 4th of July last, for the express purpose, as it was positively stated, of forwarding a series of renewed attacks on Canada, which, according to every concurrent testimony, were to take place on that anniversary of the declaration of American independence. That such measures of aggression were seriously projected, cannot with propriety be doubted ; while it is probable that their execution was alone averted, either by the conspirators being overawed by the state of watchful preparation in which they found their adversaries, or by their own arrangements not

being sufficiently matured to admit of execution at the time appointed. As regards the Russian himself, it was said to have been ascertained by persons who professed to keep an eye upon his movements, that for some time after his arrival in New York, he was in the habit of retiring to his apartments, after dark, with various mysterious foreigners, including the Frenchman who boasted of his intimacy with him, and of there remaining in such company until the night was very far advanced, sometimes, indeed, trenching upon day-light.

Of the proceedings of this secret conclave, nothing appears to have transpired beyond the fact that writing implements were much in requisition among the party. As social intercourse with persons of the character and description of those in question would seem to be at variance with the station and habits of a person answering to the description given of the Russian, there can be but one conclusion left regarding the nature of the connection he had formed, and that needs no explanation.

He was further represented to have returned

from Buffalo (whither he had been for some unknown object), in company with a Russian colonel of engineers and the American worthy engaged in the bill-discounting transaction. This colonel was reputed to have been on active service in Circassia, and to have proceeded from thence direct to America by order of the Imperial government. Be this as it may, it was at least maintained that he had travelled along the whole Canadian frontier, as had also two other officers of the Russian engineer corps, one of whom reached New York, on his return from Lower Canada, with a companion, who proved to be no other than an active intelligent French Canadian rebel, who had just exchanged a state of mural incarceration for one of self-exile from his native land.

Lastly, towards the end of 1839, a Russian naval officer was represented to have made his appearance on the scene; his arrival being viewed with great complacency by those whose views it was his supposed object to promote.

On a point involving so much obscurity as

would naturally attach to the still more serious question of a secret good understanding between Russia and the United States, in a matter of this nature, but little beyond surmise can of course be hazarded. It is said to be the generally entertained opinion of many eminent American diplomatists and statesmen that the diplomatic intercourse of the two countries in question should be placed on a footing of the closest intimacy, because of the presumed congeniality of their respective interests, as opposed to those of England; while in consonance with such view, we find that, in effect, it has been the practice for some years past, in the public messages of the President to Congress, to advert, whensoever there was an opportunity, in more flattering terms to Russia than to any other nation.

One, in particular, of the distinguished individuals referred to, who is peculiarly qualified, from past avocations and great political knowledge, to deduce correct conclusions from a political chain of argument, is stated to have expressed his belief, when speaking, in the course

of general conversation, on the subject of Canadian troubles, that it was highly probable the Russian government would seek, by indirect means, to promote disaffection and disturbances in Canada; not, however, that he was aware of any specific facts to warrant such opinion, but because he conceived it to be the line of policy which a power so "artful, active, and intriguing as Russia," would be likely to pursue.

Such is the collective testimony which, being more or less known in Canada, created a strong impression in the minds of many intelligent persons there, that Russian as well as American agency was at work in fomenting the aggravating occurrences which have marred the peace and happiness of that country for so long a period.

If it be, in reality, as sustainable as the general consonance of its different components, springing from sources wholly independent of each other, would seem naturally to imply, it presents a curious specimen of the diplomatic usages of modern days.

Should this probable picture of the past, portray alone the possible shadow of the future; my end in attempting the delineation will have been effectually attained; for, although, in a retrospective sense, but little advantage can accrue from a knowledge of what is stated, still, in a prospective one, in such a matter, "fore-warned, fore-armed," is a good old maxim deserving of regard.

With reference to the general substance of what precedes, on a dispassionate review of all the circumstances, and arguing by the somewhat analogous case of Russia's alleged intrigues in British India, a strong degree of plausibility, to say the least of it, must be considered as attaching to the actual prevalence of similar alleged intrigues in British America.

In former times (one cannot say the good old times), nations seeking to gratify their animosity or ambition at one another's expense, were wont to have at once recourse to the word-and-a-blow, or rather the blow-and-a-word system (the frequent inversion of the order of precedence, rendering

the exception in effect the rule); but the mode of procedure is now altered, and in lieu of immediate fisty-cuffs, the mutual weapons of attack and defence resorted to by hostile governments, are found to consist in fomenting discord and rebellion, each among the people subject to the other's dominion.

How far, after all, the *ultima ratio* between them may be by such means averted, is a question remaining to be solved, and at any rate irrelevant to the present matter.

The case of Canada being a peculiar one, elicits particular inquiry into *every* contingent means whereby the welfare of that country may be dangerously affected, in order, that being known, they may serve at least to dispel indulgence in a sense of false security, even if they cannot be effectually guarded against; and therefore it is that I have considered it expedient to place exclusively, in juxta-position in the same chapter, the two special subjects seeming to have affinity with each other, that have led to these concluding remarks.

I may have over-rated the prospective danger,



to the seeming advent of which I have wished to aid in awakening public attention, and I may also possibly be labouring, in respect of it, under entirely erroneous views; but I shall be well content to be convicted as a false prophet by the issue of events; nor, judging by present indications, can such issue be very far remote.

## CHAPTER VI.

**The Englishman's Political Reverie from the summit of Cape Diamond.—Original Errors committed by British Statesmen in regard to Canada.—Restitution of Canadian Civil Law.—Impolitic Division of the Province of Quebec into Upper and Lower Canada.—Perversion of Elective System in the latter.—Character of Feudal Tenure.—Legislative Union of the Provinces.—Conclusions relative thereto.**

It is a pleasant thing for an Englishman, who may be even moderately imbued with a sense of his country's past and present greatness, and with patriotic feelings, to take his stand, on a fine summer's evening, upon the summit of Cape Diamond, at Quebec, and there, communing with himself, to review in memory the leading incidents connected with the history of the vast continent whose gigantic arms encircle him on every side.

Towards which point soever of the horizon the vision of his thoughts may be directed, it is met

alike by monuments commemorative of British valour, enterprise, and skill.

Does he face the North, he views the records of his countrymen's scientific labours, implanted amidst the accumulated snow and ice of ages. Does he turn to the south, he beholds a nation mighty in its infancy,—the offspring of his own, and reared by its hands, whether for future good or evil,—developing its energies, displaying its resources, and revelling in its freedom, attained through the resistless vigour imparted by an innate consciousness of maturity. Does he revert towards the east or towards the west, he discerns the embryo of a second nation engendered of the same parent stock as the first, and requiring only fostering care, and timely prudent cultivation, to become, at no distant period, its contemporary as well as counterpoise, in wealth, strength, and prosperity.

Eastward, also, he recognizes the wide waste of waters, forming his country's particular domain, teeming with her commerce, and exhibiting indisputable evidences of the fertile genius of her sons, in improving the modern means of navigation.

At the base of the rock he paces, he sees stretched out before him the memorable plains, whereon the power, in the western hemisphere, of a formidable rival European nation was finally extinguished by his country's prowess.

He looks down upon that scene of former strife with melancholy interest, rejoicing at the resplendent victory there won, as much, because it terminated the cruel and disastrous wars which had theretofore been mutually waged by either party, as that it added another brilliant leaf to his country's laurel wreath.

Amid the busy sounds proceeding from below, he misses the harrowing war-cry of the fierce Algonquin,\* or of the equally fierce Iroquois,† formerly arrayed in deadly strife against each other by the corrupting influence of European gold.

That cry, smiting with greater terror those who heard it, than even the uplifted tomahawk itself, is for ever hushed, it may be hoped,

\* This tribe is almost extinct.

† Now known as the Six Nations' Indians: they are very diminished in number.

within the sphere where formerly it resounded, and is there succeeded by the notes of busy industry.

Pursuing the contrasts he is thus forming between the present and the past, the mental soliloquist goes back to the time when the surrounding vast inland waters, now ploughed by busy steam-boats, were navigated alone by the Indian canoe or the cumbersome *bateau*, and associates the widely-extended local commerce of the present day with the insignificant though profitable traffic carried on by the Canadian *voyageur*, or thinks of the comparatively recent days when naked savages brought down their peltries to barter in Montreal.

But after all, there is here, as in most other works of human undertaking, a dark side to the picture; and this is speedily exhibited to the meditative beholder.

In the midst of the pleasurable emotions excited in him by the contemplation of his country's abstract grandeur, as reflected in the remote region of her renown where now he finds himself, and by the evidences carrying conviction to his

mind, that while civilization has effectually supplanted there the desolation of savage life, British enlightenment has no less released from hereditary thralldom a race of foreign bondsmen (how ungratefully soever these may have received the boon), he is saddened by the thought that much of what was requisite at the hands of prudence to render durable the social structure, which valour founded and enterprize partially upraised, had been neglected; and though the legitimate means, still admitting of adoption for the tardy reparation of original error, readily suggest themselves to his imagination, an involuntary doubt shoots across his mind, as to whether even the immediate application of those means can render them efficacious to the full extent needed.

In the foreground of the reversed picture now before him, he at once detects the primary cause of the whole train of local evils, whose practical effects have been exhibited within the period of his own recollection. The living proof of a two-fold error of commission and omission, are there

palpably depicted : the first consisting in the non-assimilation of a torpid race of men, therefore the *exclusive occupants* of a land inadequately peopled, with the state of things peculiar to a new era in their existence ; the second, in the total neglect of their mental culture, as a preparatory means of imbuing them with notions which should prove alike conducive *to their own future happiness*, and to the common safety of the community whereof they now formed *a part*.

Looking to a later period, he is made sensible that, notwithstanding unity of interests on the continent he surveys, had ceased, by the secession of one great body of its population from the common system, no pains were taken to preserve, prospectively, the still adhering fragments from the encroachments or aggressions of the more compact detached mass ; or, in other words, that no adequate means were devised, calculated to impart to the first that degree of physical and moral strength which could alone enable them to keep *a relatively equal pace* with the progress of the

last; or to qualify themselves for an after state of independence similar to that which, in the one case, had already been achieved.

Attendant upon this, as also upon the intestine elements of danger first adverted to, the contingency of conflicting constitutional principles needlessly brought into collision, through the obstacles impeding steady progressive immigration, is also apparent on the darkened canvas, and serves more strongly to reflect its other gloomy objects.

It is time, however, to quit Cape Diamond. A cloud long hovering there, portending the discharge of wrath, which, unless prepared for, shall rive the rock to its foundation, warns the loiterer to depart; and, descending from his post, he hurries to the solitude of his chamber, in order to pursue on paper the train of thought awakened by his past reverie.

On an impartial retrospect of the past, it will be found that the first great political error committed in Canada by British statesmen, subsequently to that country becoming a dependence of the British crown, was the restitution of the



Canadian civil law, founded on the feudal anti-commercial "*Coutume de Paris*," after the provincial population had been for some years living submissively under English laws, and accustomed to English rules of civil procedure.

This measure, effected by the Quebec Act, passed hastily in 1774, would seem to have been intended as a kind of political experiment, forming part of a series of harsh decrees, directed against the old revolted colonies, and if at all defensible, can alone be held so for the time it served (if indeed, it did so) the temporary purpose for which it was apparently designed.

Its after inutility to this special end should, obviously, have ensured its repeal at the earliest opportunity; the more especially as the whole body of British settlers in the province, already feeling it to be diametrically at variance with their interests, were strenuously opposed to its continued operation, and earnestly petitioned the British Parliament, on various occasions, to be relieved from the disabilities which it virtually imposed upon them. One of these petitions, bearing date the 24th of November 1784, is

said to be notable for the lucid exposition it contained. The urgent representations of the British inhabitants were, however, wholly disregarded ; and in 1791, the British Parliament consummated its former folly and injustice by passing the Constitutional Act of 1791, whereby, as every one knows, the province of Quebec was divided into the provinces of Upper and Lower Canada ; the obnoxious Canadian civil law being still left to work its mischief in the latter. Now, no two greater anomalies could, perhaps, have been brought into juxtaposition than the law in question, and the representative form of government that was thus ostentatiously accorded to the French Canadians ; who, imbued with the most inveterate prejudices, besottedly ignorant and blindly passive, were in no respect pre-qualified to wield, with advantage either to themselves or others, the instrument of power placed so inopportunately in their hands.

It was some time before the majority of them could be made to comprehend the *nature* of the gift ; many, indeed, inquiring, in their simplicity, as I have been assured on the most cre-

dible testimony, if it were not a machine, and, if so, how it was to be set a-going?

The mischief perpetrated was very greatly augmented by an injudicious division of the Lower province into counties, without sufficient regard to territorial extent, or the formation of *new settlements*: for, the representation granted was regulated in accordance with the wants of a stationary, instead of a progressive, population, and confined to the seigneuries, or lands held under the feudal tenure.

Until within the last fourteen or fifteen years, when a slight modification of the original system was effected, the holders of freehold tenures, and consequently the English population of the modern townships, were precluded from returning a single member; while, after all, even by the tardy change in question, territorial extent, diversity of tenure, and commercial as well as general interests, remained virtually as much unrepresented for any practical results, as they had been absolutely so in the first instance.

The almost universal suffrage established by the Constitutional Act, combined with the ab-

sence of any restrictive qualification, either as to property or education, in the candidates for election to the Assembly, destroyed every expectation of seeing intelligent and liberal-minded representatives returned by constituencies almost entirely consisting of a class of persons resembling the peasantry of France a century ago. For some time, indeed, after this act of pseudo-designation came into operation, a few members friendly to commercial and British interests, were returned, mainly by the influence of wealth and commercial favours being brought to bear upon portions of a population for the most part poor, by a few sanguine enterprising British capitalists. But, in proportion as it became apparent to French Canadian demagogues, that the constitution their countrymen had received admitted of perversion: from its legitimate, to the promotion of their own exclusive objects, a corresponding handle was shaped, and fitted by them to the instrument ; the pliant materials thereof being the slumbering prejudices and national antipathies of an anti-

British people, whose minds, at first gradually awakened by insidious arts to the contemplation of an eventual ascendancy of numbers, were afterwards kept steadily directed to that point by appeals of an inflammatory nature, varying in force just as proximate or contingent causes of popular excitement chanced to preponderate. Hence, though the numbers and the wealth of the British population had an innate tendency to increase, in a greater proportional ratio than those of their French Canadian brethren, the power and pretensions of the latter gradually augmented beyond all safe or justifiable limits.

But the very tendency in question on the one part, also stimulated on the other the desire to check it ; and as ample means of doing so had unfortunately been furnished, there needed but a determination to employ them.

Notwithstanding the most vigorous efforts, renewed at intervals, to acquire an equal footing, the British commercial minority gradually dwindled into insignificance ; so much so, that one session of the provincial legislature exhibited

the extraordinary spectacle of the local executive being unable to carry a single measure necessary for its beneficial working or existence.

But endless embarrassment to the executive, was not the only evil resulting from the original error in the composition of the government.

The House of Assembly, having practically become the organ of the most ignorant and prejudiced part of the foreign population, incurred as a body the positive contempt and hatred of the entire British population, who naturally recoiled from submitting to the yoke of a French antiquated oligarchy, and felt an insuperable repugnance to appeal, in almost any case, to a body so incompetent and prejudging.

The French dominant faction resolved itself, in effect, by its neutralizing power, into the sole government of the country. *Nationality* was the test whereby alone the merit of every suggested measure of improvement, whether of a special or general nature, was measured, and hence the utmost opposition or the utmost favouritism in reference to such measure prevailed.

As showing how little the dominant anti-British

party was animated by a desire to co-operate in any modification of the old Canadian laws, so as to alleviate the burdens it imposed on commercial interests, it need only be mentioned, that, on one occasion, a bold attempt was made by the House of Assembly to extend the application of the feudal tenure (hereafter to be analyzed) to a considerable portion of the ungranted lands of the crown, establishing there as elsewhere, according to the Quebec Act of 1774, already adverted to, the Canadian civil laws, with all their train of humiliating consequences.

During a long series of years, commercial men were engaged in unavailing efforts to obtain from this anti-commercial branch of the legislature, measures essentially requisite for improving the domestic economy of the province, so as to render it an eligible field for British commercial enterprise.

In short, all propositions for laws tending to effect assimilation, to encourage immigration, to facilitate and render secure transfers of property, to bestow a just participation in common rights of every kind, were almost uniformly re-

jected; not, indeed, from a want of perception of the general advantage of such measures, but because their adoption would augment English settlements, and thereby lessen the local influence of those who had been allowed to monopolize all representative power.

It is truly painful to reflect how a small population which, at the period of the conquest, would have passively received from the conqueror's hand the shape most conducive to subserve British interests, was permitted, through a false system of indulgence and a meagre policy, to grow into hideous deformity, and to become so self-willed and untractable, through distorted views, arising from the want of proper education, as to consider in the light of positively oppressive measures, those progressive changes of social improvement which the people of other countries regard and are wont to solicit as boons of the highest value.

Foremost among the burdens peculiar to the feudal system, that have been and continue to be experienced as the most oppressive, not only to commerce, but also to every sort of industry



and improvement, is the seigneurial claim of *lods et ventes*, or mutation fines; being an imposition of eight per centum, or nearly one-twelfth part, upon the purchase-money or ex-negotiable value of all lands and houses, rigidly enforced upon every transfer, howsoever frequent, except that of inheritance or testamentary bequest. Until the seigneuries themselves shall be held in free and common soccage, in lieu, as now, of mortmain, this evil system must be expected to exist. Next in degree is the *droit des rétraits*, or right of pre-emption, enjoyed by the seigneur over all such property as his tenant, or *censitaire*, may dispose of, with the above exceptions.

The Canadian law allows to the seigneur forty days after the presentation of the deed of transfer, to decide as to accepting the mutation fine, and granting possession of the property to the proposed transferee, or resuming it at the price stipulated between the contracting parties!

Another invidious right of the Canadian seigneur minor only in the comparison, is that of *monopolising* all the mill seats within the limits of

his seigneurie, and of obliging all his tenants to have their corn ground at his mills, which, in addition to being often out of repair, are frequently inconveniently situated; and he exacts for the service, a toll or moulture of one-fourteenth part; an allowance that, *in a state of free competition*, would encourage the establishment of excellent mills, in central situations, with good roads made at the miller's expense. It is notorious that this seigneurial right has been exercised in the province, to the serious detriment of the export trade in flour, which requires an improved manufacture.

The feudal right of *lods et ventes*, weighing heavily as it does upon general industry throughout the province, is a formidable bar, not only to local improvement, but to that ready *circulation* of property which the interest of commerce imperatively requires; and, in the present state of Canadian law, the seigneur, even if willing, cannot, by any act of his, render binding on his heirs and successors the commutation of any feudal privilege, for what consideration soever. Lands held under the seigneurial tenure, *as well*

*as buildings erected on them*, are rendered, by the operation of this law, so onerous and precarious, that a merchant, when obliged, as is frequently the case, to purchase them from persons indebted to him, is quickly driven to sell them again at a great sacrifice ; and consequently two payments of mutation fine *on the same property* may take place within a few weeks or months. Sometimes, indeed, these mutation fines are purposely left to accumulate ; and as they constitute a privileged mortgage above all other mortgages, they may sweep away the whole sum realized at the latest sale of the property.

In addition to the exclusive privileges already mentioned as preying on the very vitals of the province, allusion must be made to the burthens incident to mortgage, which, in the present state of Canadian law, no human foresight can enable a contracting party always to evade. In Lower Canada, fixed property, or real estate, can be secretly mortgaged for its full estimated value, without a surrender of the title deeds, to different individuals, as often as the necessities or the temerity of the proprietor may prompt him to

such courses; which, however fraudulent they be, the laws now in force do not recognize as criminal. These mortgages affect not only present, but also *prospective* property. The owner has only to go from one to another *paire fidèle* of French-Canadian notaries,\* (who claim exemption from answering inquisitorial questions as to the state of the case, on the plea of their official oath,) in order to mortgage his estate *ad infinitum*; such mortgages, when brought to light, being entitled to precedence as securities over all other claims, according to seniority of date, and preserving a hold upon the property for the space of thirty years.

The non-existence of an office of registration or, in its absence, of any law or statute compelling the notarial corps to deposit, for public information, with the provincial authorities, copies of their acts or instruments burthening fixed property or real estate, induces, in all transactions for the transfer of such possessions, a

\* According to the Quebec Almanac, the number of notaries in the province, in 1837, was 380; of whom 340, or about nine-tenths, bore a French designation.

feeling of suspicion and distrust, from which, in order to relieve the mind of a purchaser, the most honourable proprietor can alone exempt himself by the no less humiliating than expensive means of a friendly suit, terminating in the sale of the property by the district sheriff, and this is after all a very precarious security.

Apart from their obstinate adherence to the antiquated laws tolerating these abuses, a review of the journals of the provincial assembly will furnish ample proof of the anti-commercial, unimproving spirit displayed from first to last by the French Canadian members of that body.

The inadequate progress made by agriculture, the imperfect cultivation of the soil, and the tardy improvement of the channels of internal communication, all resulting from the inauspicious train of circumstances hereinbefore described, have hitherto prevented the merchants of Lower Canada from furnishing to the British West-India islands, that abundant supply of provisions which, with the aid of the supply derived from Upper Canada and Nova Scotia, would have rendered them less dependent on the

United States' markets, at the same time that it would have enriched British subjects in lieu of American citizens.

As confirmatory of many of the views I have expressed in this, and in a previous chapter, respecting the state of Lower Canada, I subjoin a few extracts, from a series of articles from the pen of an able writer on the affairs of that country, which were published in one of the Montreal newspapers five or six years ago. Their general substance will also be found to correspond with many of the opinions recorded by the Earl of Durham, in his report.

“That the population,” says the writer, “is generally uneducated, is obvious from the notorious facts, that trustees of schools are specially permitted by statute to affix their crosses\* to their scholastic reports, and that within the last two years, in each of two grand juries of the Court of King's Bench for the district of Montreal, selected, under a provincial law, from among the wealthiest inhabitants of the rural parishes, there

\* As a substitute for signatures.

was found only one person competent to write his name.

“ For fifty years after the cession of the province, the two races, if they did not harmonize in social intercourse, were in some degree blended on political occasions, and but for the haughty domination of an official faction which indiscriminately oppressed Britons and Canadians, and but for the selfish ambition of a few agitators, who after humbling the common enemy, transferred their hatred from the British executive to the British name, they might ere now have forgotten or neglected national distinctions.

“ About twenty-five years ago,” he continues, “ commenced a struggle between a knot of hereditary placemen and independent individuals, of either origin—a struggle not for power, but for liberty; a struggle which ended, as the battles of freedom generally do end, in the exposure of official corruption, and in the prostration of usurped power.

“ Flushed with success, and unfettered by honesty or policy, the Canadian agitators cruelly

deceived their uneducated constituents into a belief, that the British inhabitants of the province and Britons generally, were the bitter, persevering enemies of Canadians; and thus divided the provincial population into two distinct and irreconcilable masses, the French majority and the British minority.

“ To perpetuate this numerical supremacy, the patriots have systematically attempted to deter Britons from settling in Lower Canada. .

“ They have taxed British immigrants, and British immigrants only, in defiance of constitutional principles, in defiance of national gratitude, in defiance of common sense. They have met with silent contempt the Governor's repeated and urgent request, that they would establish an efficient quarantine for the benefit at once of the immigrant and of the province.

“ They have strained every nerve to ruin the banks of the colony, and thus to strike with fatal aim the very vitals of commerce. They cherish with obstinate tenacity the most petty vexations of the feudal tenure, not because such vexations are profitable to any one, but because they pos-



sess the recommendation of being hateful to Britons."

The writer illustrates such vexations by adducing the seigneurial right of fishery and chace, and of calling for the title-deeds of every vassal.

He then goes on to say: "The patriots may, on more intelligible grounds, defend the mutation fine (*lods et ventes*), and the seigneur's exclusive privilege of grinding the grain of the seigneurie. It is not to be supposed that the seigneurs will voluntarily relinquish lucrative claims without being adequately remunerated by law; but in the course of forty-two years of industrious legislation, one might reasonably have expected some attempt to remove or ameliorate so absurd, so galling, so impolitic burdens. The evils that spring directly from the mutation fine are three-fold. It prevents the free transfer of property; it gives the seigneur an interest in driving an embarrassed vassal to a sale; and being levied on all improvements, it is virtually a tax on industry, and seriously diminishes the demand for manual labour and mechanical skill."

“In fine,” he adds, “it checks the growth of cities, thus crippling at once commerce and agriculture; it carries the immigrant, whether labourer or mechanic, to a more open market, and by damping the enterprise of capitalists, depresses, below the just level, the value of real property. From feudal prejudices, our antagonists also oppose the registration of real property, and thus strive to perpetuate a host of practical grievances of an intolerable character,—secret and general mortgages; forced sales, from the difficulty of borrowing money; interminable litigation; and the expense, if not the impossibility, of procuring an unexceptionable title. This last remark tends to explain the more intelligible grounds of attachment to the feudal law. The seigneur’s motives are obvious and natural; and the legal circumstances alluded to, sufficiently account for the feudal predilections of lawyers and notaries of French extraction, who, as they form a majority of the educated laymen, have unbounded influence, as well in the country as in the Assembly.

“Supposing,” he argues, “a manufactory or

building worth £12,000 to be erected upon a lot not worth £100, if the proprietor has occasion to sell, and could even find a purchaser willing to give in all the sum paid by the proprietor for the erection of the edifice, the proprietor is nevertheless liable to lose £1,000 as a *punishment* for having had the industry, the means, and the enterprize to build, because the claim of the seigneur is not merely the twelfth of the original value of the ground, but the twelfth of the amount of the money and labour of others laid out upon the building also.

“ This, under the feudal system, becomes a privileged debt to the seigneurs, who have not expended a farthing. But this is not all. The next, and the next vendor, *ad infinitum*, must each in turn lose to the seigneurs a twelfth of the purchase-money; so that if, by inevitable misfortunes, the buildings should change hands a certain number of times, the seigneurs will benefit by these evils to the amount of the £12,000, or full cost of the edifice, being one hundred and twenty times the value of the lot.

“ But the seigneur's privilege does not even

end here; for when he has obtained for once the £12,000 of the money of others, as in the case supposed, his claims proceed again in the same manner as before."

The following remarks, by the same writer, on the subject of insecurity of title, and also on the system of general mortgages, as aggravating the evils of secret obligations, will more fully illustrate those evils than my own imperfect attempts to do so.

He observes: "If a man take to himself a wife, with or without a special contract, he grants a mortgage to the amount of the lady's dower, over all the real property which he either does then, or may thereafter possess." "But this," he continues, "is a comparatively feeble illustration, for a man can hardly take to himself a wife without a tolerably general notoriety of the fact. The descendants of a deceased wife inherit all her claims, and may possibly exist abroad, in the third or fourth generation, without the knowledge or suspicion of a single inhabitant of the province. Such claim of dower is neither dissipated nor weakened by time; it is,

in truth, practically strengthened by the lapse of years, for every year necessarily weakens the evidence by which the claim might be defeated.

“ Mortgages are created in various other ways than by marriage. When a rustic proprietor owes money to his grocer, or his baker, or his butcher, or haberdasher, he is generally compelled to pay him by a notarial obligation on all his real property, actual or contingent ; and he sometimes grants a similar mortgage in favour of some pettifogging French lawyer, in consideration of the contingent costs of a newly begun law-suit. Every judgment of court also operates as a mortgage. But the most cruelly oppressive of all mortgages is the seigneur’s *lods et ventes*, not considered merely as a fine, but with regard to the accumulations of such fine, advisedly permitted by the seigneur.

“ Not one mortgage in a hundred takes its rise from the lending of money ; so that the obstacles which the insecurity of titles throws in the way of borrowing, hardly tend, in any degree, to diminish the number of mortgages.”

Again : “ Where mortgages spring from such

a variety of circumstances, their *secrecy*, even if they were *special*, would be sufficiently pernicious; but their *generality* engenders evils absolutely intolerable and almost incredible. Through such *generality* of mortgages, a man cannot hold real property for an hour, without vitiating its title to the amount of all his previously granted notarial obligations. In this way, a man may pollute\* the title even of real property that virtually never belonged to him. He may have bought a farm or a house on credit, may have been obliged from want of funds to restore it to the seller, and may thus have burdened it with a hundred previously contracted debts of indefinite amount."

In lieu of adopting the natural and only effectual measure of relief,—namely, the introduction of public registers,—the Assembly made a show of remedying these grievances, by passing a practically unbeneficial act for the ratification of titles.

Of it, the writer already quoted, thus speaks :  
" That act," he says, " is ruinously expen-

\* i. e. by mere temporary possession.

sive, retrospectively imperfect, and prospectively worthless.

“ It is ruinously expensive, for the cost even of the unsatisfactory ratification is about ten pounds currency, being thirty or forty times as much as the ordinary cost of registration, and equal in amount on small properties to a second mutation fine for the benefit of the lawyers and the officers of Court.

“ It is retrospectively imperfect, since it does not relieve the property from a living wife's or a minor's claim for dower.

“ It is prospectively worthless, for the property as soon as it passes into the hands of the purchaser, under a comparatively pure title, is potentially polluted by that purchaser's previous notarial obligations.

“ So slovenly and worthless an Act places the self-styled reformers morally in a worse position than that in which they previously stood. It confesses the evil; but so far from removing that evil, it only tempts purchasers to squander fees in the Court of King's Bench—fees, which, like the mutation-fine itself, must be renewed on every successive sale.”

Some further idea of the sentiments animating the French Canadian leaders, and of their endeavours to inflame the passions of the masses whose interests they professed to advocate, may be gathered from the following passages, selected from a French pamphlet, published in Montreal, under their auspices, a few years since, its circulation being specially designed for the rural population.

“ A host of Britons hastened to the shores of the new British colony to avail themselves of its advantages, in order to improve their own condition.

“ Owing to the facilities afforded by the administration, for the establishment of Britons within *our* colony, the latter came in shoals to *our* shores to push their fortunes at *our* expense,

“ Many of them established themselves in *our* cities, where they were encouraged by their fellow-countrymen, and have succeeded in making themselves masters of all the trade both foreign and domestic.

“ They have introduced a system of paper money, based solely upon their own credit, and



have persuaded our *habitans* to commit the folly of receiving it as ready money, although it is not hard cash, current among all nations, but, on the contrary, is of no value, and would not pass current beyond the limits of the province."

The whole of these extracts are sufficiently indicative of intense national animosity, but the last, in particular, exhibits a strange admixture of ignorance, cunning, and anti-commercial views,

Such, generally, was the calamitous state of things which led, owing to the natural resistance it provoked, to the passing of the celebrated ninety-two resolutions of the French Canadian House of Assembly, and brought about the subsequent suspension of the constitution, in part originating all the mischief, as also two successive insurrections—to be succeeded, peradventure, should further folly afford the opportunity, by a third !

Labouring under the manifold grievances that have here been exhibited, the British population of Lower Canada regarded with intense anxiety the prospect of partial emancipation from them, held out to their hopes rather

than to their expectation, in 1822, by the introduction of a Bill into the British Parliament for effecting a Legislative Union of the Canadian Provinces ; and were then almost as unanimous in their wish to see that object accomplished, as they have shewn themselves to be on a late occasion.

But party influence, distorted or interested views, and short-sighted policy, conspired to defraud them of the coveted measure of relief ; while, a few years afterwards, they were plunged into despair by the report (published in 1828) of the Canada Committee of the House of Commons, the suggestions contained in which for effecting a few nominal improvements of a superficial nature, were heavily counterbalanced by the spirit of marked partiality evinced by the Committee towards the French Canadians, as manifested by their expressed desire to see preserved, and even extended, the means of perpetuating the distinctive French nationality which had so long been under the fostering care of the British Government.

In the Appendix will be found some interest.

ing documents illustrative of the views and position of the British inhabitants of Lower Canada at a period ulterior to that just mentioned, and also further explanatory of much that has been stated in relation to the peculiarity of their previous condition.

The efficacy of the legislative union of the Canadas, as an ingredient for restoring the supremacy of British principles and institutions, on that section of the North American Continent, must obviously depend entirely upon the *contingency of it being, or not being associated* with other measures of a fundamental nature.

On the first hypothesis, permanent benefits may be anticipated from its operation; but on the last, it *can* be productive of but little advantage beyond the present relief of the Upper Province from its pecuniary burdens, and *may, nay, must*, prove a delusion.

The auxiliaries whose simultaneous agencies it requires are, primarily, immigration; secondly, preponderance of representation for the Upper, so long as the French Canadian population of the Lower Province remain, as now, numerically

superior to the British inhabitants of the cities and townships; thirdly, the abolition of the anti-commercial old French law of 1774, already adverted to, and the substitution in its place of English civil law; and lastly, the introduction of a system of popular education, whereby the use of the English language should become disseminated among the ignorant, misled *habitans* of the rural districts.

It is assumed, of course, that the English language should alone be tolerated as that of the legislature, the executive, and the courts; its gradual adoption in the last, in particular, being imperatively enforced.

Surrounded by the safeguards indicated, the measure of the Union, by at once identifying the British population of Lower Canada with the well-affected portion of the inhabitants of the Upper Province, would seem eminently calculated to insure to both greater protection against revolutionary influences than they have possessed since 1791; nor would the unholy alliances, predicted by some as likely to ensue for subversive purposes, between the ultra-radical members of

French or British origin, who might find seats in the United Assembly, be likely to prove under such circumstances very baneful in their effects.

As regards the establishment of municipal institutions in Canada, they must be viewed as necessary adjuncts to the well-working of the representative system, if that itself be established on a safe and proper basis. Being part and parcel of a popular form of government, they could not with propriety be withheld longer than the time when their introduction might seem beneficial; and such period would appear to have now arrived.

The people of Toronto, and, in general, the whole of the adherents of the petty oligarchy notoriously existing in Upper Canada, have always been as much opposed to the Legislative Union, whensoever the subject has been mooted, as the French Canadians themselves; and this apparently for no better reason than that a few local and private interests would be sacrificed to the public good.

I have often, with surprise, remarked, when conversing on the subject with Upper Canadians

of the better class, how little, generally speaking, they appeared to be impressed with the conviction, so strongly felt by strangers, that the *interests* of the two provinces are, in all respects identical ; and, also, how little they seemed to imagine that the affairs of Lower Canada, whether for good or for evil, were closely blended with their own.

They felt sensibly the inconvenience of being pent up, as in a prison-house, by the United States on one side, and Lower Canada on the other, without any egress to the ocean, but through one or other of those countries; but then they proposed, as the means of surmounting the difficulty, not to make common cause, as bodies, with their British brethren in the Lower Province, against two common enemies, but to appropriate *to themselves* the district and island of Montreal, thereby leaving the British inhabitants dwelling in other sections of the province more exposed than ever, because of their circumscription in such case within a narrower circle, to the evils from which they had so long been struggling to get free.

For these reasons, and considering the sentiments known to prevail upon the subject among various influential persons, as inferred from the debates of the previous session, it was seriously apprehended by the advocates of the Union, at the period when I left Toronto, that how much soever opposed to the sense of the community at large might be such conduct, a majority in the Legislature would have, nevertheless, been found of sufficiently biassed views and restricted notions, to reject the bill about to be propounded to them, for operating the Union, and that consequently no alternative would have remained to the Governor-general but that of a dissolution of the Assembly, and an appeal to the constituencies.

The explanation of the apparently ready assent which was given to the measure by both branches of the legislature, in the face of former expressed grounds of objection, not removed, is probably to be found in the fact, that while many members of the Assembly shrank from the contingency of a dissolution, all were alike sensible that through the medium of the Union alone could the impending bankruptcy of the Upper

Province, resulting from causes hereafter to be mentioned, be averted.

It is, however, scarcely worth while to inquire by what process many inconsistent members of the Provincial Assembly became all at once consistent in this matter, seeing that, happily, the *principle* contended for has been conceded; but it is much to be regretted that the legislature of Upper Canada should not have exacted better terms as the condition of their acquiescence, by stipulating, that whatever might be the number of representatives assigned to Lower Canada, that number should be exceeded by at least one-third in favour of the Upper Province, until such time as there should be a sufficient influx of British immigrants to render positively safe, equality of representation for the two provinces.

Failing, as it must if an isolated measure, to produce the early political advantages anticipated from it, the legislature would be ill able to withstand the after pressure of events upon it; and we may be assured, in such case, that further



opportunity of remodelling the fragments would be sought in vain.

I have endeavoured to show, in a preceding chapter, that a *present* severment of the actual political relations of England and Canada, so far from conducing, as some suppose, to the future welfare of each, would, on the contrary, prove disastrous to both, by striking at the vitality of the one, and crushing, while in embryo, the *reserved independence* of the other.

But the strict logical sequence of this view, from the train of reasoning adduced, points no less forcibly to the mutual advantages that might be confidently expected to accrue when Canada should have acquired the strength and means to stand alone, from the exchange of the colonial connexion for the bond of a *national alliance*, cemented, as in such case it would be, by the ties of a common interest, a common sympathy, and, above all, by a common safety.

Entertaining very strongly this twofold conviction, which extensively obtains in Canada, I should be indeed happy could I know that

I had succeeded in imparting it to any number of those who may chance to peruse these pages, and should consider myself as well repaid by such result for the task of their compilation.

**END OF VOL. I.**



**THREE YEARS'**  
**RESIDENCE IN CANADA,**

**FROM**

**1837 to 1839.**

**WITH NOTES OF A WINTER VOYAGE TO NEW YORK, AND  
JOURNEY THENCE TO THE BRITISH POSSESSIONS :**

**TO WHICH IS ADDED,**

**A REVIEW OF THE CONDITION  
OF THE  
CANADIAN PEOPLE.**

**BY**

**T. R. PRESTON,**

**LATE OF THE GOVERNMENT SERVICE AT TORONTO.**

**IN TWO VOLUMES.**

**VOL. II.**

**L O N D O N :**

**RICHARD BENTLEY, NEW BURLINGTON STREET,**

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# THREE YEARS' RESIDENCE IN CANADA, (1837—39.)

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## CHAPTER I.

General Description of Upper Canada.—Original Colonists.—Anecdote of Scotch Settlers.—Depressing effect of Natural Scenery.—Lake of the Thousand Islands.—Falls of Niagara.—Population.—Toronto.—State of Parties and Society.—False pretensions of certain Classes.—Neglect of Natural Occupations.—Prevalence of undue Influences.—Provincial Lawyers and Sheriffs.—Mr. ex-Attorney-general Hagerman.—General Reflexions.

THE general configuration of Upper Canada, as also its general aspect and characteristics, are very easy both of definition and right appreciation.

The country exhibits almost one continuous flat, unrelieved even by such few prominences



as distinguish Lower Canada ; so much so, that you may travel in it hundreds of miles in every direction without encountering any thing at all assimilating to a mountain, or even to a moderate-sized hill ; though, in various parts, there is no want of the pleasing variety induced by slightly-undulating ground.

Upper Canada is admirably watered in all its parts ; hence presenting every facility, if its great natural advantages be turned to a proper account, for promoting, to an unlimited extent, internal trade and social intercourse.

The most fertile and best cultivated parts of the province are—the Niagara district on the southern frontier ; sections of the vast tract of country which, encompassed on three sides by the waters of the lakes Ontario, Erie, St. Clair, Huron (and its branches), forms a complete peninsula ; and to the eastward, the country about the bay of Quinté, with the district of Prince Edward.

Though the Niagara district, in common with

the rest, raises corn in abundance, it is, more essentially than any other, the orchard as well as nursery-ground of much of the neighbouring parts of the province ; and in particular, a very large quantity of the fruit and vegetables consumed annually in Toronto, is derived from thence.

But fruit, and indeed provisions of every kind, in great abundance, find their way into Upper Canada from the United States, and are generally of a very good quality.

With the exception of parts of the Niagara and Gore districts, in the vicinity of the Falls and of Brantford, for instance, there are few or no sections of the country that exhibit any thing like an approach to the domestic kind of natural scenery which is so dear to English eyes, and appeals so strongly to English feelings, let it be seen where it may. In the first-named district, that rude disfigurement to all Canadian, and indeed to most North American scenery, the zig-zag wooden fence, is encoun-

tered less frequently than usual; while here and there, such fence has been superseded by the neater and more civilized quick-set hedge, introduced by English settlers.

Elsewhere, (save and excepting a few rural spots on the line of the Ottawa), all is vast, solitary grandeur, in the contemplation of which the mind becomes insensibly depressed, at the consciousness of its inability to compass the imposing magnitude of surrounding objects.

I have heard many persons, not natives of the country, make this observation; and for myself, I can bear ready testimony to its truth, as applied not only to Canada, but generally to such parts of the North American continent as I have visited.

If you traverse its vast lakes, if you penetrate its deep pine-forests, if you cross its wide-extending plains, nay, if you wander by the way-side in the outskirts of its towns, you are alike struck with a sense of surpassing loneliness, with a sort of melancholy, at finding your-

self an isolated unit, as it were, in the midst of a space so large ; knowing, as you do, in the one case, that you *are not* upon the ocean, and in the other, that you are not treading upon a newly-discovered soil !

But, if the perception of magnitude not to be embraced, produces this effect upon you ; if, what your eye beholds, though exciting awe and admiration, yet appeals not to your sympathies or feelings ; you are nevertheless compensated, in some degree, for this negative enjoyment, by the lightness and elasticity of the surrounding atmosphere ; by the clear, blue, cloudless sky above you ; by the richly variegated foliage of the primeval forest trees ; and, above all, by a grateful sense of the perfect natural freedom, in which, for the time, you revel.

'The absence of singing birds in most parts of the American continent has often been remarked upon by travellers as a great drawback to the enjoyment of the natural scenery ;

and certainly, the enlivening notes of such melodists would prove an advantageous exchange for the inharmonious concerts of the myriads of bull-frogs in Canada, whose croaking may be said to constitute the native music.

I once knew a Frenchman, who, desirous to learn the English language by self-tuition, *tout d'un coup* (to use his own expression), chose for his primer, above all books in the world, Sterne's "Tristram Shandy!" because, as he ingenuously observed, he wished, by identifying himself with the spirit of that peculiar work, to compass all that he was seeking to attain. But the difficulty lay in so identifying himself with the object of his study; and soon finding this to be the case, he abandoned the undertaking, by such means, in despair.

Thus it is, at least thus I, in common with many others, have ever found it, in the contemplation of almost all North American scenery: you cannot thoroughly identify yourself with, because you cannot compass it; and you

cannot compass it unless through the medium of your feelings, which, from its very vastness, it has an innate tendency to repel. Hence, you may gaze, wonder, and admire, but sympathize you cannot.

The only instance in which I remember having failed to acknowledge this influence, was whilst traversing at sunrise, one fine morning in summer, the Lake of the Thousand Islands, a wide expansion of the St. Lawrence, a few miles below Kingston ; and I might then have fairly fancied myself transported into a fairy land, but for the steam-boat destroying the illusion.

The whole scene was surpassingly lovely. The water, undisturbed by a single ripple, save what the passage of the boat created, presented the appearance of a mass of molten metal ; while surrounding you far and near in every direction, were islands, some of the most tiny kind, either scattered or in groups, and all densely covered, to the water's edge, with the richest imaginable foilage. As you advanced, all egress from the

labyrinth seemed closed against you ; when presently, an opening, before unobserved, would present itself, and, darting through it, you would find yourself in the midst of a fresh scene of similar beauty ; the whole series being continued for a space of eighteen or twenty miles, under every variety of shape, aspect, and calm repose ; and the reigning solitude alone disturbed by your intrusion, or the flight of some bird that you had been the means of scaring. The picture wanted nothing to complete it but the presence of an Indian, in his primitive garb, paddling a canoe ; and to have seen one wending his way, in such guise at such a moment, would have imparted a keen relish to the positive enjoyment felt.

The number of these islands never has been, and probably never can be, correctly ascertained ; though nominally a thousand, they are computed to be at least eighteen hundred, and may possibly be more. Their foundation is of rock, similar to that which forms the sub-stratum of a

great part of the adjacent mainland on the Canada side; and they have no doubt been formed, as have the Falls of Niagara, by the immense body of water above them seeking an outlet; being probably not much less ancient than the mighty cataract itself.

Since I last visited them, a notoriety has been given to these islands which they did not before possess, by the exploits of a man rejoicing in the appellation of "Bill Johnson," a sort of American pirate-brigand, who, taking advantage of the troubled period succeeding the insurrection, selected them alternately as his place of resort, from whence to carry on marauding depredations along the Canadian shore: a system of harassing warfare which he was enabled to practice with impunity for a considerable length of time, owing to the secrecy of his movements, the fleetness of his skiff, and the supineness, or, what is perhaps nearer to the truth, the indifference of the American authorities; his exploits being eventually only put an end to by the perseverance of cruis-



ing parties from the British naval station at Kingston.

Nor were the thousand islands without their "Lady of the Lake," if the appellation may be given to the buccaneer's daughter, who sojourned with him, in his sylvan abode, and was said to be equally dexterous with himself in the management of his unrivalled skiff, which was represented to be so light and portable as to admit of ready transportation from place to place. A sort of romance was thrown around these two personages of the 'Canadian drama;' and a belief in half the reports that were current of their marvellous proceedings, involving almost the power of ubiquity and prescience, would trench very closely upon a belief in the supernatural. They were at one time almost objects of idolatry among the Canada-liberating population of the American frontier, and were received wheresoever they went with corresponding honour: but their star is no longer in the ascendant; like other once popular characters, they

have had their day, and are now seldom heard of.

The scene of their adventures, with the adventures themselves, would furnish ample material to the dramatist or romance-writer disposed and able to turn them to account ; and it is only surprising in these days of trans-atlantic steaming, that a theme so fertile should have been lost sight of by the caterers to the amusement of that very numerous branch of John Bull's family, the lovers of the marvellous.

Only imagine, for instance, the charm attaching to some such a romantic title as "*The Lake of the Thousand Islands, or the Buccaneer's Daughter !*" It would be perfectly irresistible ; and, on the doctrine that *thousands* produce *thousands*, must be highly profitable.

But a work of nature's hand, immeasurably surpassing in its marvels the enchanting Lake of the Thousand Islands, and baffling alike adequate description or correct analysis of feeling, in regard to the impression it creates, yet remains

to be spoken of. Need I say, that I allude to the mighty cataract of Niagara; or, as it is termed, *par excellence*, "The Falls?"

It is far from my intention to attempt the delineation of an object which pens, far more able and practised than my own, have, at best, imperfectly succeeded in portraying; but it would evince such signal disrespect to the monarch of cataracts, and, moreover, constitute so marked a defect in a work having Canada for its theme, not to make incidental mention of such most striking feature of the country's aspect, that I feel it incumbent on me to say *something* on the matter.

I have twice visited the Falls, and, like most other persons who have expressed an opinion on the subject, have found them to improve very much upon acquaintance, cultivated through the medium of close solitary *studying*, if I may use such term in the sense in which I wish it to be understood. But I am unable to comprehend how, as is frequently averred, anything like *dis-*

*appointment* can be felt, even by the most superficial observer, at a first view of them. The wildest revellings of the imagination could by no possibility conjure up any object serving in the least degree as a standard of comparison whereby they might be measured, and, therefore, their reality surpassing, as in effect it does, all possible conception, one is positively debarred the right to contrast present enjoyment with past anticipation.

Were persons who complain of the Falls not realizing their expectations, required to answer the interrogation, *What* did you expect to see? by a minute description of the object they had mentally created, they would be sadly bewildered for an answer, and this is the only effectual means by which their inconsistency could be made apparent to themselves.

The way in which I found that I could best comprehend the magnitude and character of the stupendous cataract, was by lying flat upon the ground in its near vicinity, mentally dissecting

it as it were whilst so recumbent, and then forming combinations of the particles *ad infinitum*. I know not if this suggestion be, or not, a novel one; but in my own case, its adoption was the result of accident, as I found that, when close upon them, I could not regard the Falls for many minutes together in an erect posture, without succumbing to an attracting influence, which I can compare only to the fascination exercised by the loadstone or the eye of the rattle-snake. I, therefore, adopted the alternative of prostrating myself (which answered the two-fold purpose of reverence and convenience), and was in such wise enabled to contemplate, for hours together, without apprehension for my personal safety, the stupendous monument of ages that stood reared before me.

Another means of arriving at a right appreciation of the magnitude of the Falls, is to perch yourself on the summit of the tower which stands upon a ledge of rock just below Goat Island, and to look down from thence, not upon

the Falls, but upon the *centre* of the rapids, and then following with your eye the maddened waters, as they converge, seemingly grasped by the out-stretched fingers (gathering from all points) of a concealed giant's hand, towards the middle of the Chûte, trace them until they are finally precipitated into the troubled vortex below.

All immediately above, as also immediately beneath the sheet of water projected over, appears to be hurry, turmoil, wrath, and wild confusion; in the midst of which the propelled body, as if tacitly chiding the struggling waters in its rear for the display of so much petulant impatience, assumes to itself a calm placid dignity and business-like air, implying that there exists *no necessity for haste*, and drops, by means of its dense cubic weight, in close compact solidity to the bottom.

It appeared to me that in thus contemplating the Falls, there are many valuable moral lessons to be learned; not the least prominent of

which, are arrangement, design, and the preservation of order in the midst of seeming confusion.

As regards the realization of grand scenic effect, in the appearance of the Falls, I fully concur in the opinion I have seen expressed, that the best means of inducing it consist in crossing the river at the ferry, to within about one-fourth of the distance from the American shore, and in so directing your gaze from such point of view (never heeding the tossing, nor the saturation consequent on remaining in such a position), as to take in the American and British Falls *together*, Goat Island, which lies between them, being entirely shut in by the oblique line of vision.

The imaginary fabric you thus raise, is the complete side and the half-elliptic end of an immense chrystalline hall; and you have only to people it with corresponding genii, supposed to be dimly visible through the mist, effectually to complete the delusion.

On the occasion of my first visit to the Falls, which chanced to be just after the opening of the navigation, they still retained some portion of their wintry dress. On the second, on the contrary, their environing adornments were green trees and foliage; but it is to my mind doubtful even now, if these, after all, were so much in unison with the peculiar character of the main object, as the previous accumulated snow and clustering icicles.

The mingled feeling of awe, wonder, and admiration, which one experiences at sight of the Falls, how often soever they may be visited, is speedily succeeded (at least I, in common with many others, have found it so), by a wish to be alone with them, in order to ponder over, without the fear of interruption, their varied claims to attention, as well as to revel in the peculiar train of meditation which they have a tendency to awaken.

A sad accident had happened at the Falls just before my arrival there last summer, in an



avalanche of rocks from Goat Island having crushed to death an American gentleman (a Dr. Hungerford, if I remember rightly), who chanced, unfortunately, to be beneath them.

The guide informed me with a dolorous accent, that this occurrence had also operated prejudicially to *his* interests, as people were deterred in consequence (and not unnaturally), from venturing as fearlessly as formerly, within the space of the Horse Shoe Fall, curtained by the sheet of water.

To facilitate the means of progress over the precarious slippery causeway of the narrow pass, he informed me that it was intended to affix to the wall of the rock, iron cramps, supporting a railing, whereby the visitor might hold on ; and certainly, much praise should be the due of those whose ingenuity and daring might succeed in perfecting such a peculiar piece of smithery.

It is only surprising that a greater number of accidents does not happen at the Falls beyond

such as actually take place, since the rocks on every side are gradually detaching themselves from their old positions, while the famed Table rock itself, judging by the wide fissures it exhibits, appears about to follow the general example.

The *poetry* of the Cataract is unquestionably seriously impaired by the prose of every day life pervading its vicinity; but how much soever this innovation may be a cause for lamentation to the admirer of nature in her wildest solitude, it is at least conducive to his individual comfort and convenience.

But to revert to a former topic: there is this peculiarity about the air and temperature of Canada in general, that they are ill adapted, from their searching qualities, always of an extreme kind, to persons of sedentary habits and pursuits; and many, by indulging in such, during their residence in the country, have materially impaired their constitutions. On the other hand, for individuals of robust frame and *active bodily*

*occupations*, no region can be more salubrious, provided they take due precaution against the sudden variations of temperature by which they are frequently assailed. Hence the country is admirably adapted, as a place of residence, for that class of persons of which it stands most in need—agriculturists and labourers.

To show the necessity which exists for the exercise of unremitting caution in regard to clothing and habits of body, it need only be mentioned, that when the thermometer is at an extreme point, either of heat or cold,—say, in the first case, at ninety degrees, or upwards, and in the second, at twenty-five or thirty degrees below zero, it will *suddenly* vary to the extent of thirty, forty, or even fifty degrees ;—remain at this variation for a few hours, and then revert, as suddenly, to the old point. These, it is true, must be considered as extreme cases, but they nevertheless occur, and must therefore be guarded against. In the Upper Province, such extremes as those first mentioned seldom last above two or

three days together, but on the whole, the seasons there, though far more tempered, are much less regular than in the adjoining province. The winter in Upper Canada is also shorter, as well as less severe ; but in either province, spring and autumn, properly so called, and as understood in Europe, are scarcely perceptible. So rapid is the vegetation when the snow has fairly disappeared, which happens in Upper Canada about the middle, and in Lower Canada about the end of April, that you may almost persuade yourself into the belief that you *see* it springing from the earth, as you walk along.

The parts of Upper Canada which have been the longest settled, are the Niagara and Prince Edward districts, with the country comprised within the limits of the Bay of Quinté, an indenture of Lake Ontario, a few miles above Kingston, and the country in the rear of Cornwall, extending to the confines of Lower Canada. The original population of the first-named district consisted of settlers from the New England

states, of whose descendants, constantly reinforced by fresh American immigrants, the majority of the present population is composed. The original population of the latter districts consisted, in like manner, of settlers from the state of New York, but chiefly of Dutch origin ; and of their descendants, though now fully amalgamated with British settlers, the present population is also mainly composed.

These early settlers in the infant colony were, for the most part, individuals termed U. E., or United Empire Loyalists, because of their preferring to continue their allegiance to the British crown, after the American war of independence, to becoming citizens of the new Republic. To compensate them for the sacrifices they made in abandoning their homes, the British Government awarded them grants of land proportioned to their claims or services, with the right of selecting those portions from any part of the crown lands remaining unappropriated. Armed with this privilege, they, of course, fixed upon

the most eligible locations, and hence their congregation in the particular districts I have mentioned.

Many, after establishing their title to the lands assigned to them, abstained from settling thereon, preferring to reserve them as future heir-looms, in the expectation that, as the province increased in population, so, also, would they increase in value. Many, on the other hand, to whom a life in the wilderness was repugnant, or who were needy persons, sold their land-rights, often for a very trifle, to speculators, whose representatives, with those of the non-settlers first-mentioned, now constitute some of the largest landholders in the province. There are, however, many claims of U. E. loyalists outstanding at the present day, and they are occasionally put in, in payment for the lots of land which are disposed of at government sales. But it is full time that a limit were assigned to this practice; and, in order to the effective working of any future systematic plan for the

disposal and settlement of waste lands, the speedy adoption of which (as I shall endeavour constantly to show), is of vital importance to the welfare of the province, a law should be passed for the *equitable commutation* of all such outstanding claims, if preferred within a certain period—say twelve months—and annulling them if not so preferred.

It is a curious coincidence, well worthy of remark, as conveying an instructive lesson, that throughout the disturbances which have agitated Upper Canada during the last few years, the descendants of the old refugee royalists have been precisely those who, taken as a body, have been the least zealous in the cause which it was the object of their forefathers to sustain: namely, the supremacy of British institutions wheresoever established on the North American continent; and those, also, among whom an unduly large proportion of disaffected persons has been found.

The class of the population *mainly* instrumen-

tal in preserving the colony to England, were, as the Earl of Durham has correctly stated, the men of British race, who became settlers in the country subsequently to the last American war. It is thus obvious, that in a constant stream of immigration from the British isles, lies the only real safeguard for retarding to a *suitable* period the dissolution of connexion, as now constituted, between Canada and England, which *must* eventually take place. In illustration of the first point, I would observe, that just as the European caloric of the British settler in Upper Canada slowly yields to the insidious influences of climate, unless invigorated by healthful bodily pursuits, so, also, must his imported attachment to British institutions insensibly become impaired by the anti-British influences going on in the small community around him, *unless* the social system, of which he forms a part, be fused, from time to time, with the renovating stream of warm-blooded British feeling, flowing into it from its native source; *until* such time as the country, being in a con-



dition to *stand alone*, all danger of amalgamation with the neighbouring Republic should have ceased. It is only surprising, considering the germs of democracy gradually introduced into the country by American settlers—the moral influence exercised by the powerful on the weak, dwelling in close contiguity—but, above all, the *want of a steady, progressive immigration*, that Upper Canada should be at the present hour a dependence of the British crown.

That the ratio of increase, up to 1825, of the two chief bodies politic, must have soon preponderated in favour of the democratic party, or, at least, have brought both parties to such a balance as must have placed the continuity of British connexion in serious jeopardy, is, in Canada, a very generally admitted fact; while it is equally acknowledged, that such contingency has been alone averted by the timely immigration (insignificant as in the aggregate it has been), which took place during, and for a few years subsequent to, 1825, and which sufficed to turn the beam the other way.

As regards the actual state of parties in Upper Canada, it is somewhat more difficult to speak with equal accuracy; but, on the point alone of preserving British connexion for an indefinite period, can the two great branches,—*vis.* the bulk respectively of the native Canadians and the modern British settlers,—of the anti-Republicans be said to be cordially united.

In parts of the Niagara, London, Home, and Midland districts, democratic tendencies, aiming at subversion, and not amendment, are estimated to be more rife than in the rest; but in all the districts indiscriminately, there must be said to prevail, more or less, an earnest desire to effect, by constitutional means, such changes in the administrative system as shall cause it to work more smoothly than heretofore.

The common danger with which the country has been, and still is, threatened, secures the alliance of the loyal members of the British immigrant class already mentioned, and of the native Canadian party. But even in the absence

of such common danger, no disruption between them need be apprehended, would the latter only tolerate the establishment of such a state of things as should place the former on a *perfect footing of equality* with them ; and this, in fact, is all that has ever been demanded or contended for. The union of the provinces, if judiciously carried out, in conjunction with other fundamental measures, may be expected to exercise, in the respect just mentioned, a healing tendency, by destroying present monopoly of place and power, and thereby neutralizing those antipathies which the restraint of a present mutual dependence alone serves to keep in subjection for the general good.

To conclude this brief attempt to analyze the state of parties in Upper Canada, it remains only to observe, that the democratic ranks, though including men of all classes and spheres of life, are generally understood to consist, for the most part, of Americans, either by birth or by descent, who are domiciliated in the province, and who, from similarity of tendencies and de-

signs; may, with equal truth, be said as much to constitute the *foreign* population of the Upper province, as do the French Canadians the foreign population of the Lower.

In some places, the amalgamation of the old Dutch settlers with the later comers of British race, was apparently, not very readily effected, owing to the mutual antipathies which at first prevailed, and which, (as I was told by a gentleman long resident in the particular locality), an incidental occurrence, somewhat ludicrous in its origin, but likely to have proved serious in its effects, tended materially to keep alive.

He stated, that some years ago a body of young Scotch Highlanders, speaking nothing but Gaelic, came to settle in the neighbourhood, and being desirous to commemorate their arrival in the land of their adoption, resolved to indulge in a merry-making among themselves, which should terminate with a dance. As regarded, however, the success of the latter part of their arrangement, the majority of them being bachelors, the

want of female partners presented a serious difficulty, until it was suggested that they should solicit their neighbours, the Mynheers, to allow their wives and daughters to favour them with their company; a few of the male elders being also invited to give countenance to the proceeding.

Accordingly, the invitation was sent, and being accepted, the matrons and damsels came with their protectors at the appointed time, and were suitably entertained.

Now, whether it were that the Highlanders had been offering up too freely at the shrine of Bacchus, and were thence induced to transfer their worship to that of Venus, certain it is, according to the authority of my informant, that as the hour of separation drew nigh, they recoiled from the prospect of returning to their former state of loneliness, and positively refused to let the dancing nymphs depart.

To prove they were in earnest, they ejected from the building in which the entertainment was held the few Dutchmen who were present,

and shut themselves up in it with their fair enslavers ; thus re-enacting on Canadian soil the classic scene of old, wherein the Sabine women are represented to have played so conspicuous a part.

Such a flagrant violation of the laws of hospitality roused even the ire of the phlegmatic Dutchmen, who, hurrying to their settlement, speedily returned with a strong reinforcement of their countrymen, and did battle to the Highlanders ; whom, far outnumbering, they finally compelled, after an obstinate conflict, to surrender up their unlawful prizes.

I did not learn in what way the ladies and their captors deported themselves towards each other during the brief period they remained together ; so that my readers are just as well able as I am to draw probable conclusions from the premises adduced. The courtship must at least have been strangely carried on, since neither party spoke or understood a word of the other's language.

I only further ascertained that the affair, as

was naturally to be expected, caused at the time a great commotion among the whole fraternity of Dutchmen, and was productive of some subsequent affrays.

Independent of those districts to which special allusion has been made in the foregoing observations, there are other parts of the country, which, though less highly favoured in point of natural advantages (being situated in a more northerly direction) are nevertheless well adapted for the purposes of progressive settlement and cultivation.

The country in the rear of Kingston and of Cobourg, forming part of the Midland and Newcastle districts, as also many places on the Ottawa, up to Bytown, (the rising little capital of the Ottawa district,) come more especially within this order of localities, and may be rendered available for the support of an unlimited population. It is true, that in the vicinity of the Rice Lake, the soil is of a marish nature; but this impediment is not so great but that it

may be readily overcome by means of draining and other processes.

As regards the population of Upper Canada, there is in it this striking feature, that, unlike the rival population along the opposite shore of the lakes and rivers forming the line of demarcation between the two countries, it possesses length without adequate depth. A single glance at the map will suffice to define my meaning; and, in further illustration of it, I can find no fitter simile for the population as it now is, than that of a long, straggling line of infantry, in some parts scarcely two deep, and exposed, consequently, to disruption at almost any point, without the power of closing up.

The deepest section is perhaps between Toronto and Penetanguishine,\* which last is a mere military station, at the foot of a branch of Lake Huron, extending inland in a southerly

\* An Indian compound word signifying "Look! it is running sand," from the quicksands which there abound.



direction. The whole distance does not exceed eighty miles, and the chain of populated parts is by no means continuous; many interstices yet remaining to be filled up.

Comparing this with the *deep square masses* on the whole of the American side of the lines, there will be found just cause for apprehension that those masses, whensoever put in hostile movement, as at any time they may be, must bear down, by sheer weight of pressure, the shallow frontage that would stand opposed to them, unless the same be strengthened.

According to a late annual return made to the Provincial Government, the total population of Upper Canada in 1839, amounted to 400,346 individuals, thus distributed over the thirteen districts into which the Province is divided :—

<i>Districts.</i>	<i>Population.</i>
Eastern .....	28,837
Ottawa .....	8,483
Johnstown .....	32,669
Bathurst .....	24,632

<i>Districts.</i>	<i>Population.</i>
Prince Edward .....	14,018
Newcastle .....	35,146
Midland .....	38,254
Home (including City of Toronto 12,153)	69,953
Niagara .....	29,953
Gore .....	51,000
Talbot .....	9,053
London .....	42,325
Western .....	16,023
<hr/>	
Total..	400,346

Or, in round numbers, 400,000 inhabitants.

I do not possess any data shewing the proportion borne in the foregoing census, by males to females; but in Upper Canada, as in most newly-settled countries, the former are the preponderating number, although probably not to any great extent.

As shewn by Returns made by the chief agent for immigration, the number of immigrants from the United Kingdom who landed at Quebec in the seven years ending 1837, was 217,285; the annual average being thus 31,041. The

maximum was 51,746, in 1832, and the minimum 12,527, in 1835.

It is impossible to hazard a conjecture as to what number of these immigrants remained either in Upper or Lower Canada, no records of their final destination being kept; but at all events allowance must be made for a portion of them being merely on their way to the Western States of the Republic.

The amount of immigration in the years 1838 and 1839 was trifling in the extreme; and, according to all accounts, was far exceeded by the deficit caused in the standing population, by re-emigration and expatriation, the natural consequences of the troubles which prevailed.

But it is time to say something of the seat of Government of Upper Canada, at which place I resided from about the close of the summer of 1838 till the beginning of December last.

Toronto, though exhibiting little to bear out its pretensions either as a city or a capital, and still less to justify the metropolitan airs which

the *élite* of its denizens assume, is a place bearing (unlike Kingston) the appearance of having been much improved within these last few years; but it as yet possesses only one good street, which runs east and west, and this is in some parts advantageously set off with an array of well-filled shops and stores.

At the western extremity of such street, on opposite sides of the road, stand a sort of overgrown party-coloured\* cottage, dignified by the name of "Government-house," and a neat assemblage of red brick buildings, comprising the school-house and private dwellings, appertaining to "Upper Canada College," of whose history I shall hereafter speak. Between the Government-house and the bay an unseemly mass of brickwork, encasing the legislative chambers and various of the public offices, rears its head; while, a mile beyond this again, is an ill-constructed stockade-sort of fort, with an incommo-  
dious barrack within its circuit.

\* One-half is painted yellow, and the other white.

Eastward, Toronto's chief edifices are, a church, a bank, a town-hall, (having behind it a market-place,) and, lastly, a sessions-house and gaol, besides a second prison-house in progress of construction, to signify the moral improvement of the people.

This end of the town is much eschewed as vulgar, by the high order of patricians, whose abodes, consisting in many cases of good-sized, substantial, though isolated houses, are for the most part situated in the three opposite directions. Of these, the Yonge Street Road, running north, is decidedly the most eligible locality; and, a few miles out, it exhibits some very pretty scenery.

Nevertheless, the *city* of Toronto will not bear mentioning in the same breath with either of the American *towns* Rochester or Buffalo, (both, I believe, of later origin), though I am aware that in making this assertion I incur the risk of being thought tasteless, not to say a rebel in disguise, by the majority of those amongst whom I have been so lately dwelling;

since they would consider as derogating from their city's dignity the mere institution of any such comparison.

Speaking generally, however, of contrasts between Canadian and American objects indicative of relative progressive improvement, I lament to add my humble testimony to that of many other visitors to both countries, that the comparison is immeasurably in favour of the States; and the fact is rendered strikingly apparent to the unbiassed observer, not simply by his passing through the States *on his way* to Canada, but by his residing in the latter country for a lengthened period, then traversing the neighbouring States, and afterwards returning to the British territory.

The effect of such transition cannot perhaps be better illustrated than by supposing that you have plunged unconsciously from a stagnant pond into a vivifying stream, and tumbled from the latter back again into a miry slough.

Let not, however, the fundamental cause of

this humiliating contrast be misunderstood, by ascribing it to a difference of political institutions; but rather let it be traced to its chief originating source, the virtual exclusion of capital and labour from the country, owing to the injudicious alienation of their primary aliment—land.

At Toronto, the example of a knot of high-salaried officials induces a style of living far in advance, even on their part, of present means of sustaining it; and hence very frequently occasions serious pecuniary inconvenience to various classes of individuals; the originators of the mischief being, however, equally *insouciant* as to their own embarrassments in this respect,—since, practically, they are attended with a virtual impunity,—or to those of others that may be occasioned by them.

For such reasons, and because of the invidious distinctions as well as inequalities which the practice mentioned has a tendency to create, Toronto itself cannot be considered an eligible

place of residence for that class of immigrants who may be desirous to economize their means ; while the manifestation of such desire virtually excludes them from the round of social intercourse (such as it is) on which they may have relied.

It is not, perhaps, hazarding too much to say, that a person or family with moderate means might make them go further even in expensive London than in Toronto ; and, at any rate, assuming the positive outlay to be equal, the comparative expenditure would be at least five hundred per cent. against Toronto, if the *quality* of the comfort and enjoyment purchased were taken into the estimate.

In the latter place there is very little beyond mere articles of consumption (and these not always) that can be considered cheap ; house-rent, furniture, servants' wages, fuel, and the like, being the exact converse ; or, to speak more correctly, surpassing all legitimate proportion in the general scale of domestic expendi-



ture, particularly if considered with reference to the place of domicile.

For residents not remaining sufficiently long to care about encumbering themselves with the cares and anxieties of housekeeping, of the expensive nature of that in question, the means of local accommodation are even more scanty than in other towns of the province. Private apartments are very difficult to be procured, and such boarding-houses as exist are of a very inferior order; while there are but two hotels to which persons of respectability could resort, and from their generally crowded state, they are at best comfortless places to reside in beyond a few days together.

These, as is indeed the case with all hotels throughout Canada, are conducted on the American fashion of public rooms and public tables; but the majority of them are very inferior in most respects to similar establishments in the United States; and, *as compared with such*, are dirty, incommodious, and unsystematic

in the economy of their internal arrangements.

The most notable exceptions to this category, are one or two of the chief hotels at Quebec and Montreal, and Macdonald's North American hotel at Kingston. At this last I resided some months, and can conscientiously recommend it as one of the most comfortable and best conducted in the whole country.

I must not forget to mention that a club has been established in Toronto, in a tolerably commodious building hired for the purpose; but, being somewhat in advance of the times, it is very inadequately supported, and has, I believe, great difficulty in keeping on its legs. It is, however, after all, very little better than a mere hotel and eating-house, its means of supplying mental aliment to its frequenters being limited to a few provincial and American papers, with a New York reprint of one or two of the British periodicals.

Regarded in a military point of view, Toronto

seems a very unfit selection as the locality of the seat of government ; inasmuch as it is not only naturally defenceless, but incapable of being put into a state of effectual defence, owing to its situation on a level space rendering it easily approachable on every side should an enemy chance to have the command of the lakes. Such being the case during the last American war, the place was easily taken by the Americans, and a great part of it destroyed. With reference to mere strength of position, Kingston, though in other respects objectionable, would have been a far more eligible site than Toronto as the headquarters of the local executive.

The question of transferring the seat of government to some other part of the province has frequently been agitated, but conflicting local interests have always obtained too strongly to allow of any change being effected ; and, at the present period, the measure of the legislative union effectually supersedes the necessity of any further discussion on the subject.

Both Hamilton and Bytown, as well as Kingston, have put forth their claims to be made the place of selection ; but the first, a rising, pleasant little town at the head of Lake Ontario, would have been as objectionable on the score of its close proximity to the Niagara frontier, as would the second on account of its inappropriateness as a central position ; though in most other respects, either perhaps would have been preferable to Toronto.

It may be emphatically said of the *natives* of Upper Canada, that, taken as a body, they have as yet no exclusive character ; but exhibit in their speech, habits, manners, and demeanour, a strange admixture of the leading features of English aristocratic feeling with democratic sensibilities.

They are, in fact, though insensibly to themselves, the recipients of two opposite impressions, which leave their respective marks ; but while extremely indignant at being thought to exhibit any ambiguity in this respect, they are not sufficiently careful of their own culture to induce

such a decided preponderance of specific tone in their moral organization as should rescue them from a neutral position.

Out of such materials, a distinctive feature, serving to characterize them as a people, remains to be formed; and according to the means employed to mould it, so would it eventually assume a pleasing or repulsive shape.

Among that class of the community termed by courtesy the gentry, there is creeping up a false state of things, which, unless it soon find a corrective, is calculated to retard very materially—if, indeed, it has not already retarded,—the prosperity of the province, and consequently of its young society.

I allude to the disinclination evinced by far too large a portion of the Canadian youth of the class designated, to engage in those pursuits which the primitive condition of the country they inhabit, no less than their own well-being, imperatively requires that they should follow. In lieu of devoting themselves to agricultural and commercial occupations, they blindly seek, in an

undue ratio, to qualify themselves for those of a professional nature ; because, from the fallacious notions in which they have been reared, they conceive, or affect to consider, the two first to be beneath them.

Hence,—to adduce a striking illustration of the evil,—a host of young men, who might be advantageously employed in aiding to develop the natural resources of the country, either remain in idleness, or are annually let loose upon society as half-fledged, needy lawyers, the majority of them being driven to prey, owing to the disproportion of their aggregate number to the general want, upon the very vitals of the people for the means of a bare subsistence.

Another mischief arising from this pernicious practice, is that many of the young aspirants in question, being disappointed in their expectations, and possessing interest in influential quarters, become applicants for office in the public service, and are promoted to vacancies in district appointments, perchance, to the exclusion of persons more entitled to fill them, or else wait the

chance of some new post being created, for which they may compete.

At the head of the practical part of the legal profession in Upper Canada, nominally stands Mr. Christopher A. Hagerman, a gentleman respecting the solidity of whose acquirements as a lawyer a high legal authority\* in England has publicly expressed himself in any thing but flattering terms, and in regard to whose characteristic manners and demeanour, an accomplished authoress† of the day has recorded a no less unfavourable opinion.

This gentleman, long avowedly obnoxious to a great part of the community as attorney-general, has lately, it appears, vacated that lucrative post for a less profitable judgeship : a promotion, which, however, it may contribute to his personal ease, can scarcely be considered to compensate him for the loss of political importance it occasions.

\* Lord Brougham, in a speech in the House of Lords in 1839.

† Mrs. Jameson, in her work, " Winter Studies, &c. in Canada."

He has been succeeded, it should seem, in his former office by Mr. Draper, lately solicitor-general, a gentleman of more liberal, yet equally conservative (as regards British connection) principles, whose nomination must be well calculated to give satisfaction to the loyal British immigrant class, of which he is a leading representative.

I must be distinctly understood as speaking of both these gentlemen (as, indeed, of any other prominent functionaries whom I may chance to mention), *exclusively* in their public characters, which, being identified with the affairs of the province, are, with these, open to free discussion by all who, like myself, may be seeking the illustration of the latter.

To protect the native legal talent, a law was passed by the Provincial Legislature, at the alleged instigation of interested parties, providing that no English *attorney* (that part of the profession being in Upper Canada the most lucrative one) should practice in the province as such, until after the expiration of a five years'



noviciate with a local lawyer : in other words, that he should go through his apprenticeship *de novo*. This might have been very well, and very proper, as tending to exclude mediocre or slippery practitioners ; but it was known to be levelled at those who might be altogether unexceptionable, being passed at a time when an extensive immigration from the British isles was taking place. The law in question has always created a very strong feeling among the great body of British settlers ; and ought (if still unrepealed), no longer to be allowed to disgrace the provincial statute book. Fair competition would have been the greatest safeguard to the community in a matter of this nature ; the different competitors, whether British or Canadian, being left to find their own level.

Could the party whose influence carried out this measure, have followed to a greater extent their exclusive notions, in respect of the employment of British talent, they might possibly have enacted, that no man whose *capital* was *merely*

of a *mental* kind ; who, possessing European knowledge and experience, desired to turn them to account in a new country requiring their use, should be *allowed* to settle in Upper Canada ; such permission being restricted to those who should come with the means to buy, and the bodily strength to cultivate, the vast extent of wild lands, which, by a strange profusion and improvidence, had been suffered to become private property.

Such is the spirit which has animated, for years past, and which still animates, the bulk of that portion of the population of Upper Canada who are descended from the earlier settlers, or, in other words, who are native Canadians.

It is, perhaps, the widely-extended existence of this intolerant exclusive spirit, rather than its actual palpability beyond a certain limit, which must be considered as constituting the *theory* of what the Earl of Durham, with many others, has not unaptly embodied under the designation of the “family compact.” Neverthe-

less, such spirit practically resolves itself, and seeks its perpetuation in a nucleus of officialism, which centres at Toronto, and of which the ramifications, extending throughout the province, are, for the most part, cemented by the ties of intricate combinations of relationship.

For instance, A., B., and C., hold respectively at Toronto high official stations. Each is connected with the other by consanguinity of various degrees, and each has a relative holding a district appointment, such as a magisterial office, a collectorship of customs, a clerkship of the peace, &c., who, again, are similarly connected with each other, and have their own adherents, who, also, are in the enjoyment of smaller benefices elsewhere; so that an interminable chain of mutual interests and dependencies is thus kept closely interwoven.

All this might be very natural, and also very harmless in the early social condition of the colony, when intellectual capacity was in trifling request; but when, through the progress

of population, stimulated by immigration, the country began to grow into something like shape, the case became very different; and the general interest, no less than the general want, imperatively demanded that close monopoly of place and patronage should give way to open competition, and stationary to progressive habits.

But a desire to render heir-looms to their own posterity, objects that, being common property, were not susceptible of such transmission, combined with a consciousness that undue acquisitions, in the shape, more particularly, of waste lands, had been made under the old *régime*, has hitherto induced a dogged resistance, by those who would have been greater gainers by the exercise of a little foresight, to such changes being gradually carried out, as were compatible with the temporary circumstances and condition of a country essentially requiring to be brought forward.

Had such timely concessions to popular expediency been made, we may be assured there would

have been left but a narrow field of operations for such demagogues as Mackenzie and his immediate partisans, since in this case they would have possessed no ready *domestic* handle wherewith to turn the machine of political agitation.

In a word, from the combined effects of long impunity and distorted views, the very circumstances which should have insured the admission of the general elements of renovation appealing at the portal of improvement, have been precisely those which have been heretofore permitted in a general sense, to operate to their exclusion.

The beneficial result of throwing wide such portal, must have been the gradual infusion of health and vigour into the social system of the country, by the steady influx into it, as candidates to labour in the public service, of a class of men fresh with the varied experience of European life; but the majority of the standing order of officials, apprehending the consequences to themselves of an issue, rendering competence the standard of election, have hitherto success-

fully combined to keep things stationary, and have shewn themselves opposed to all progressive changes save those which should dovetail precisely with their momentary interests.

Numerous examples of the baneful system of party nepotism, that has practically prevailed from an early down to a very recent period, might readily be adduced, but the following illustration will suffice.

When a certain office connected with one of the Government branches last became vacant,\* a prominent public functionary who enjoys the unenviable privilege of being thought one of the animating spirits of the so called "family compact," claimed the appointment on behalf of the son of the late occupant, an inexperienced youth, who had scarcely attained his majority, thus seeking to render the office in effect hereditary.

This monstrous requisition was met by the rejection which it merited; but the refusal was virtually qualified by an offer to nominate to the

\* In the summer of 1838.

vacant post a near relative (who chanced at that moment to require providing for) of another reputed leader of the aforesaid compact; and this arrangement having met the *sanction* of the exacting party, the appointment was made.

Now, how qualified soever might have been the individual selected (a point that does not constitute the one at issue), it is manifest that in this case all fair and open competition was precluded, and that the *main* ground of the preferment was not that on which it should have rested.

The feeling of *hereditary* right to office is in general very strong on the part of the native Canadians, who deeply resent any invasion of the privilege they claim and endeavour to assert on all occasions, particularly if the *intruder*, as he is termed, be a mere British *settler*.

Such feeling was very strikingly exhibited on the occasion of the appointment of the present provincial secretary, a talented, experienced individual, who, educated at an English university,

and avowedly qualified above all his competitors for the duties of the office, had been selected from the ranks of the British immigrant class. His nomination was viewed by the whole body of exclusives as a dangerous innovation on all established rule, and the greatest sympathy was excited amongst them for his chief opponent, the son of a former occupant of the disputed post; such individual himself strongly entertaining the notion that the most flagrant injustice had been practised towards him.

Though, as a general principle, it must be conceded that no person who is not either a native or a *settled* inhabitant of the province should be selected for public employment, the rule is one which admits of many exceptions in a young country, whose purely native talent adapted to the public service requires incessantly to be fused from extraneous sources, in order to preserve a healthful system, and on whose Government, moreover, it is essentially



incumbent to bring to its own support all the *variety of talent* it may be able to command.

Assuredly, in such a country, that state of things imperatively demands revision which extorts, as it very recently extorted from a high local authority, the avowal that “*no new comer* has a prospect of employment in the civil service in Upper Canada, because the claims of applicants are so much discussed as to render the filling up a vacancy a sort of political peril to the officer administering the Government !”

Fair competition is all that can be, or ought to be, consistently demanded ; but this in Upper Canada being virtually prohibited, the public interests suffer in proportion, and endless heart-burnings are created.

The general matter of complaint is not, after all, so much that the number of public offices in Upper Canada is too great, as that sufficient attention has not been invariably paid to the qualifications of the individuals selected to fill them;

and that, in regard to the higher appointments, the salaries are excessive, compared with the service rendered, and have (as it is elsewhere intimated) a pernicious tendency, as inducing a false style of living in a country where simplicity should prevail. Forasmuch, as the general machinery of government must be the same in a scanty, as in a large and redundant population, it follows that in Upper Canada, as in other new countries, the number of public employments is, and must be ostensibly, and for a time, far larger in proportion than in older and more densely populated states. Hence, in carrying out measures of reform in the public departments, care, obviously, should be taken to distinguish between the utility of an invidious office, and the efficiency as well as the remuneration of the party filling it; a distinction which has not always been consistently adhered to by the advocates for improvement in the administration of the public service of Upper Canada.

The slatternly, dilatory manner in which by

general assent, far too much of the business of the public departments is conducted, owing to their very unsystematic internal arrangements, the indifference (arising from their virtual irresponsibility) of the different functionaries, together with the want of an efficient check system, and general supervision over matters of detail, by a central controlling power, has long been obvious to all impartial persons in the province, and a notorious cause of popular dissatisfaction.

In the course of last year, the House of Assembly requested, by address, that some *fit and disinterested* person or persons should be employed to institute such a rigid scrutiny into the nature of the business, the mode of conduct, and the system of organization, of every public department in the province, as should lead to the forming of a report on the state thereof, with a view to the introduction of those beneficial changes in respect of each, that might seem to be expedient.

Accordingly, a commission was issued, ap-

pointing certain individuals, classed in sectional committees, to perform the required duty; but the parties thus nominated were very far from answering in their qualifications to the requisition of the Assembly, being chiefly official functionaries, or gentlemen said to possess little or no practical knowledge of business avocations.

The popularity of the executive was much impaired by the seeming error of judgment evinced in this selection; and the commission itself, after running (as such,) the gauntlet of public derision, became at last a standing joke.

What its labours have resulted in, I have no present means of knowing; but, at any rate, the want of general confidence evinced in them prospectively, augured little for their practical utility.

Whilst treating on the subject of public employments in Upper Canada, I may observe, that there is perhaps no class of appointments in respect of the nominations to which, greater

caution is considered, requisite than the provincial shrievalties.

In former times, very little attention appears to have been paid to the qualifications of the parties selected to fill these offices, notwithstanding the peculiarity of the duties attaching to them, which partake of far greater diversity and minuteness than similar offices in England; but though involving an equal degree of responsibility and trust, are not practically under the same controlling influence of public opinion.

The absence of a law requiring the sheriffs to lodge in deposit, at a public department or a bank, until claimed, the monies of which they are the recipients on behalf of suitors, combined with the general lax and careless mode in which, as already mentioned, the public business in Upper Canada is generally conducted, leads very often to the institution of suits against the sheriff for the recovery of that which he has himself been levying. I have been assured by

a gentleman, on whose veracity I can implicitly rely, that once on board a Canadian steam-boat he actually saw a sheriff placed under personal restraint, in virtue of a writ resulting from a litigation of this nature. This, however, must be considered an extreme case; but the possibility of such occurrences ought surely to be guarded against.

As a further illustration of the want of sufficient safeguards to the community, in matters of this nature, the following incident may be narrated:—

A lawyer accused a sheriff of unjustly detaining a sum of money which he was bound to pay over to him on account of a client. The sheriff retorted by urging in his justification an alleged liability of the lawyer towards himself, on account of some private transactions between them, identified in some way or another with the official matter. The result of this mutual recrimination, as affecting the poor client, I did not hear; but the amusing part of the story was,

that not a thought of the hardship of the case to him, seemed to be entertained by either of the contending parties.

I must be understood as speaking of these things, not as evidences of any want of personal integrity, or premeditated neglect of duty, on the part of the individuals concerned, but as consequences of a *faulty system*, imperatively requiring to be revised ; and they are of sufficient notoriety in the province to justify their exhibition here. Among the provincial sheriffs of the present day are many high-minded, honourable individuals, whose character alone insures a guarantee to the community, and who, while equally deploring with other members of the community the imperfections of the existing law for regulating the sheriffs' duties, would gladly see such law revised for the credit of their order.

Another class of public officers, whose efficiency or impartiality is very frequently impugned, are the local magistrates and the commissioners of the courts of request.

The want of sufficient technical knowledge is the chief complaint against the former, and it is sometimes productive of serious inconvenience, as the following incident will show :

A full bench of magistrates on the western frontier, gravely subjected to examination, and sentenced to imprisonment, an American citizen for having whilst in the United States, used *treasonable* language as regarded Canada, and uttered threats against Canadian subjects!

The American authorities, hearing of the transaction, imperatively demanded the man's release, on the ground of a violation of constitutional principles; and the impossibility of sustaining the course of proceeding taken, being now apparent, even to the perpetrators of the illegality, they were constrained to rescind their own proceedings, and to release the prisoner, at the expense of exhibiting themselves in a somewhat ludicrous character to the local community on either frontier.

The commissioners referred to, are chosen ge-



nerally from a lower grade of persons than the local magistracy, and are represented as being for the most part very illiterate men. Complaints of the harshness, illegality, and partiality, of *their* proceedings have ever been most numerous ; and if half that is alleged of their conduct be correct, the sooner some different system of dealing with the small cases referred to their decision be adopted, the better.

The substitution, as by some suggested, of occasional circuit courts, presided by the judges of the several district courts, with summary powers of decision to a limited extent in some cases, and with liberty of appeal from their decisions to a jury in others, would seem a feasible plan for obviating the continuance of the courts of request as now constituted, and would, at any rate, according to all appearances, be favourably received by the community at large.

An intelligent, gentlemanly merchant of Lower Canada, with whom I was once travelling, expressed himself with much bitterness, but with

great truth, on the subject of the anomalous state of society in Upper Canada. He remarked, that far too many of the Upper Canadians were imbued with notions of relative distinctions that were wholly incompatible with the state of things around them ; that they aimed at appearing as —what they were not, and could not be for years to come—independent gentlemen ; neglecting their proper sphere of action, which was essentially mercantile and agricultural, and impairing, instead of improving, their means of wealth.

This class of persons is, indeed, more numerous than might be supposed in so small a community, and gentility, rather than utility, is with them the chief object of emulation.

The circumstance is much to be regretted, in whatsoever light it be regarded, and cannot but re-act prejudicially to the parties themselves.

In a country where the general standard of merit and of intellectual acquirement is so low as avowedly it is in Upper Canada, it might naturally be thought that there would exist

something like a *demand* for British talent as well as British capital and labour. But no such thing: the two latter elements alone are coveted; the former being virtually under a proscriptive ban.

But it cannot reasonably be expected, that unless the three be welcomed in conjunction,—all being alike needed in their due proportions, as a means of improving both the moral and the physical condition of the country,—those only which chance to be acceptable to a particular party monopolizing power, will be introduced to any considerable extent, whilst there remain open more eligible channels for their employment.

The mere privilege of *labouring* on the lands of others, in a remote colony, holds out no inducement to the English peasant to forsake his native country. In expatriating himself, he requires the stimulative prospect of becoming, within a reasonable period, a landholder himself. But from this just expectation he is, in a great measure, precluded in Canada, because of the

excessive price demanded for the object of his desire. He, therefore, transports himself to a more eligible colony, or else to the United States, where his industry is more suitably, as well as more speedily rewarded. By the latter movement, it is obvious that a two-fold injury is inflicted upon Canada; inasmuch as it is deprived of bodily labour, that it *might* have secured, and such bodily labour is transferred to a country whose hostility is to be apprehended.

In like manner, the British capitalist, being debarred in Upper Canada from a fair participation in the social advantages which his wealth has a tendency to create, invests that wealth elsewhere, and keeps aloof from a country where his means are welcome, but his presence is not, if he venture to assert his social privileges.

As regards the man whose staple article of traffic is of the purely mental kind, his ware is of too fine a temper for the Canadian market, *as now constituted*; and, if needs must, he had far

better allow it to become a little rusty at home, than expose it to the risk of being bruised or shivered in a land where the damage would neither be appreciated nor regretted. As things now are, there is no room for such as he; but his exclusion, by keeping down within a narrow sphere the tone of moral vigour, serves also commensurately to retard all physical amelioration as regards the country at large.

As Lord Durham has very justly observed, the country requires to be made attractive to immigrants of all classes; and until it be so, assuredly it cannot prosper, *since* immigration is the basis of its welfare.

It must, however, be borne in mind, that what is chiefly needed in Canada, and in Upper Canada more particularly, is not the transplantation thither of a complex fabric of society, the fac-simile of that which, from the force of circumstances, exists in England, but an *improved framework of English society*, which, though in consonance with the spirit of British institutions,

should become, through the process of re-amalgamation, a purified body.

Of the bulk of the rural population constituting the yeomanry of Upper Canada, it may be emphatically said that, although for the most part rough, blunt, and uncultivated, they are nevertheless a brave, an open-hearted, and a hospitable set of people. But the last part of this observation by no means equally applies, as bodies, to those individuals forming what is termed the "society" of the towns, who, generally speaking, are ostentatious without being truly hospitable.

The formal restrictive etiquette prescribed by the *custodes morum* of each place, for the regulation of its social intercourse, but ill harmonizes with European notions of comfort and enjoyment ; and one cannot be surprised at Mrs. Jameson's exclamation against the state of Canadian society, such as she found it at Toronto, compared with the society of continental Europe : for, in effect, no more striking contrast could

probably be exhibited, than the unnatural attempts at imitation and the distortions of the first, with the natural ease and graceful freedom of the last.

Nevertheless, nothing is more true than that in society in all parts of Canada, as in society elsewhere, you meet many estimable persons, who justly claim exemption from the rule just mentioned; and it is no less true, that if the natives of Upper Canada would content themselves with being natural, aiming at simplicity in lieu of putting forth pretensions incompatible with their condition, they would appear to strangers under a much more favourable aspect than they do at present.

Though somewhat, also, the slaves of etiquette, the British inhabitants of Lower Canada have much the advantage over their brethren in the Upper Province in point of social qualities, and are in most respects, but more especially from their greater harmony and concord, a far more agreeable people to reside amongst.

The foregoing observations as to the social condition of Upper Canada, have been hazarded in no desire either to disparage or revile, but simply to show that a class of the native Canadians have themselves unconsciously been the means, in conjunction with other causes (yet to be adverted to), of keeping the country in the backward state in which it languishes.

The sources whence its renovation is essentially to be derived are, immigration and education; but more immediately the first. If the means of facilitating this be accorded, and all classes of settlers be alike welcome,—whether the capital they take with them be bodily labour, intellectual acquirement, or realized wealth,—the work of general improvement may be expected to go on apace, and Upper Canada speedily converted from a weak and sickly patient into a strong and healthful subject.



## CHAPTER II.

**Pernicious System of Land Granting.—Public Lands and Immigration.—Proper Management of the one and Encouragement of the other, the Basis of all Prosperity.—Working of the small lot System.—Military Colonization.—Fallacy of Land Endowment for purposes of Education.—Means of Education.—Abuse of Trust Funds.—Clergy Reserves.—Marriage Licences.**

It can neither be too often repeated, nor too strongly urged, that the greatest existing drawback to the physical improvement of Canada, arises from the lavish profusion with which extensive grants of waste land have been made unconditionally to private individuals, and also as endowments.

From the early history of the colony until within a few years past, this was considered an easy mode of recompensing real or imaginary public services; and thus, whilst tracing to a

want of foresight, a wilful disregard of future consequences, or a baneful system of favouritism, the very serious evil which has been entailed upon the province, we cannot but perceive that the covetousness of the great landholders presents a grave difficulty in the way of the adoption of such measures as would prove in effect remediable.

These persons, nevertheless, are pursuing a course of policy the most subversive of their *permanent* interests that could possibly be devised; for, considering the present aspect of affairs, it would positively be worth the while, both of themselves and the Government, to give away a portion of the lands at the disposal of either, to those willing to settle on and cultivate them, in order not only to secure the remainder, but to prevent the country itself from slipping through their fingers in a fit of weakness.

The waste lands in the surveyed parts of Canada are comprized under the titles of Crown and Clergy Reserves; lands set apart

for Educational Endowments ; lands belonging to Public Companies and Private Individuals.

Interposing, as vast tracts of all these sections do, between settled districts, and presenting, for the most part, no immediate equivalent for the excessive price that is set upon them, they operate in a twofold sense as direct impediments to improvement; first, by deterring the class of persons most needed from becoming purchasers; and secondly, by retarding general progress.

To increase the mischief, the residue of ungranted waste lands, which remained at the disposal of the Crown, has been ceded to the control of the Provincial Legislature; the last dispensing power to which such a charge should have been entrusted, seeing that a large proportion of its members, being themselves extensive proprietors of waste lands, have an immediate private interest to oppose to the public benefit, in keeping up prices which they are not justified in asking, whether as regards the present positive value of the lands in question, or the low and

uniform price at which similar purchases may be effected in the United States.

As a general principle, it may be taken for granted, that no positive alienation of waste lands, in a country requiring progressive settlement, should be permitted, unless for the purpose of actual cultivation; while, further, no positive sale of those lands should take place, without a proportion of the proceeds of such sale being appropriated to the promotion of immigration.

But what do we see in the case of Canada? Why, the sale of lands made a source of profit to the Government; the proceeds in part applied to the support of an overpaid civil establishment, and in part to the maintenance of a clergy already amply provided for by the endowment called the Clergy Reserves. This is at once rendered obvious by the fact, that a very considerable portion of the Crown revenue consists of the annual payments made by the Canada Company for the lands which they have purchased of the Government.

By the terms of the original agreement entered into, (as appears by published statements,) the whole of the Crown Reserves, amounting to about 1,384,400 acres, and also a portion of the Clergy Reserves, amounting to 829,400 acres, were to be sold to the Canada Company at 3*s.* 6*d.* per acre, and the Company was to complete its part of the contract at the expiration of sixteen years, from the 1st July 1826, the annual payments to the Government, or purchase-money, being fixed as under :

Year ending July	1827	...	...	£20,000
— —	1828	...	...	15,000
— —	1829	...	...	15,000
— —	1830	...	...	15,000
— —	1831	...	...	16,000
— —	1832	...	...	17,000
— —	1833	...	...	18,000
— —	1834	...	...	19,000
— —	1835	...	...	20,000
Yearly, from	1836	} £20,000 = 140,000		
to	1842			
Total				£295,000

The difficulties which supervened respecting the question generally of the Clergy Reserves, led to the resumption of that portion of them ceded to the Company, and to the substitution of the same, by a tract of about 1,000,000 acres in the Huron district, the difference of quantity being given because of a lower estimate of present value; and in consideration of these circumstances, the Company appears to have been allowed the privilege of expending on local improvements, *one-third* of the purchase-money of this particular territory, in lieu of paying it to the Government, as at first stipulated.

The acquisition of ready-money would seem to have been the prime object of the Government in effecting this extensive alienation of public lands from its control; but without entering on a discussion of the violation, thence resulting, of the primary principle of colonization, already alluded to, it must be admitted that the Company has done much local good within the sphere of its actual vocation, how much soever

its existence may have conspired, with other causes, to maintain the price of waste lands generally at a comparatively undue rate.

In the session of the provincial legislature, ending in April 1839, a bill was passed accepting the offer of the surrender of the Crown revenue, on condition of a civil list being granted; but rejecting the proviso that the charge borne upon that revenue for ecclesiastical purposes should thenceforth be defrayed by the province. On the other hand, it was contended, that the fund derived from such portion of the reserves as had been realized, being insufficient for the support of the clergy to be maintained, fully justified the imposition of such charge: thus giving to the clergy, in addition to the enormous quantity of land already set apart for their especial use, the benefit of an annuity mainly derived from the sale of other land, to which they had not the shadow of a pretension. If the realization of the clergy reserves did not proceed so rapidly as was wished, or was neces-

sary for the objects of the endowment, then a demand for those lands, constituting some of the most valuable in the province, should have been *stimulated* by affording increased facilities of immigration: while, under any circumstances, it might have been left optional with the legislature to provide for any temporary deficit by an annual grant, in lieu of being called upon to become a consenting party to entailing on the general provincial fund, as a fixed annuity, a charge which, if incurred, could only with propriety have been regarded as an advance on the security of the clergy reserves, repayable whensoever those reserves were rendered available for the purpose.

The bill, being a reserved one, was rejected by the Home Government on account of the omission in question; because, as it was stated by the colonial minister, the faith of the Crown was pledged to the receiving parties: in other words, that because the colonial office had diverted annually a certain sum from its legitimate



object, the provincial legislature were to perpetuate the spoliation.

At the date of my leaving Canada, this matter remained in abeyance; and during the last session of the provincial legislature, no further discussions in relation to it appear to have ensued, while, indeed, the measure of the Union obviated the necessity of their taking place.

The settlement of Canada, in proportion to its extent, being the object to be promoted as the fundamental means of rendering it henceforward *tenable*, whether primarily as a British province, or eventually as an independent state, no effort should be left untried to induce the passing of such legislative enactments as should place within the reach of every class of purchasers the wild lands requiring to be brought under progressive cultivation.

Now, in addition to the imposition of a tax on wild lands, being private property, recommended by the Earl of Durham, no measure appears so well calculated to accomplish the

great end in view, as a law fixing at a low uniform rate, the price of all other denominations of wild lands, so as to bring down by its operation the price of all private waste lands to the same common level.

It ill accords with the dignity of the British Government to resolve the sale of waste lands at its disposal into a source of mere pecuniary profit. Its sole, its only object, should be to procure the settlement of the country needing population; and so long as indemnity for the actual expenses incurred in the administration of the land department be obtained, no further pecuniary advantage should be sought.

Throughout the United States, the custom has obtained for years past, of fixing a common price upon all public lands indiscriminately that are brought to market; and such rate has not exceeded, nor does it, I believe, exceed, a dollar and a quarter, or about five shillings and tenpence per acre; while, indeed, it has been proposed in Congress to reduce the mar-

ketable price, on an immense tract of territory west of the Mississippi, to three-fourths of a dollar, or three shillings and fourpence-half-penny sterling, per acre.

In the States, the rate being every where the same, and generally known, the intending purchaser has nothing to do but to make his selection where he pleases, pay his money, and retire, after a very brief delay, with his title-deed in his pocket.

Five shillings currency, equivalent to four shillings and sixpence sterling, should be the very maximum of the price per acre, set upon the waste lands in Canada that are not private property; by which means, and by the imposition of a tax, the latter must also speedily be brought down to the same rate.

Nothing short of the adoption of some fundamental measure of this kind, can be expected to attract immigration from Europe, or to insure such competition with the United States as shall at least effect a fair division of the renovating

stream, which is at present almost exclusively monopolized by that country, at the expense of Canada.

In former times, the following high location fees, constituting a heavy tax on immigration, seem to have been demanded by the government for lots of land conceded :

For 100 acres	...	...	£12 sterling.
200 do.	...	...	30
300 do.	...	...	60
400 do.	...	...	75
500 do.	...	...	125
600 do.	...	...	150
700 do.	...	...	175
800 do.	...	...	200
900 do.	...	...	225
1,000 do.	...	...	250
1,100 do.	...	...	275
1,200 do.	...	...	300

Subsequently, such fees were reduced to the following scale :

For 100 acres	...	...	£5	14s.	1d.	sterling.
200 do.	...	...	16	17	6	
300 do.	...	...	24	11	7	
400 do.	...	...	32	5	8	
500 do.	...	...	39	19	9	
600 do.	...	...	47	13	10	
700 do.	...	...	55	7	11	
800 do.	...	...	63	2	0	
900 do.	...	...	70	16	1	
1,000 do.	...	...	78	10	2	
1,100 do.	...	...	86	4	3	
1,200 do.	...	...	93	18	4	

At the present time, the government practice of granting lands on payment of fees, has been superseded by that of periodical sales of waste lands, in various parts of the province, such sales being conducted by local agents appointed for the purpose. The lots intended to be disposed of are put up to auction, at a *varying upset* price, regulated by the average value of wild lands in the particular neighbourhood, and are knocked down to the highest bidder.

This practice, though doubtless an improvement on the former one, is nevertheless a very inadequate measure of relief as regards immigration itself; since it wants the primary recommendation of *uniform low price*, and has, moreover, the disqualification of inducing collusion, and hence practical abuses.

Under this new regulation, a change has also been effected in the arrangements respecting the land claims of individuals who have retired from the military and naval service; such claims being now liquidated by an allowance, termed "remission money," graduated according to the rank of the party, on the amount of the price which the land put up for sale may realize.

Portions of those tracts of waste lands yet unalienated, might advantageously be set apart for the purposes of military colonization: that is, free grants of land might be made, on condition of military service by the grantee, at any time required during a given period; by which means, the two-fold object would be answered, of strength-

ening the population, and dispensing with a portion of the regular military, as well as militia force, else necessary to be maintained.

The funds accruing from such sales as might be effected, as also those derived from the meditated tax, should be consecrated, for some time to come, to the cause of immigration alone, and more especially to its promotion, by facilitating the endeavours of industrious persons, desirous to become settlers, to transport themselves and their families from their native land.

The outstanding claims of U. E. loyalists, who, as stated in another chapter, possess the invidious right of locating wheresoever they may find a vacancy, should be forthwith called in, to render the above, or any other remedial plan efficacious; but no fresh grants should be made, even to this favoured class, unless upon condition of actual settlement; their claims being, moreover, forfeited unless preferred within a prescribed time.

As an auxiliary to the foregoing means of settlement, remains to be mentioned a plan of lo-

cation, termed the small lot system, which, from every statement, has already been successfully adopted on a limited scale, and may be very beneficially extended. This system appears to have had its origin in the following circumstance:—

About eight years since, frequent complaints were made by agriculturists, residing in the vicinity of certain towns in the Gore district, of the great scarcity of labourers; and in order to remedy, in some degree, the inconvenience thereby occasioned, the executive government directed the location of some indigent immigrant families on parts of the government reserves situated near the towns in question.

Lots of five acres each were accordingly laid out, and huts erected thereon, at the expense of government; the parties installed in them receiving an assurance, that if the land were not required for the purposes for which it was originally set apart, and they conducted themselves with propriety, they would not be disturbed in their locations.



Upwards of sixty families, as I have understood, were thus provided for, who, it is believed, have not only done well for themselves, but been of great service in the surrounding neighbourhood.

It is obvious that this system, wheresoever it can be acted upon in a country like Canada, possesses many great advantages. In the first place, it gives the labourer an immediate home, and enables him to find employment in the cultivation of his own lot, in the intervals of his hired services being in requisition ; while, on the other hand, it opens a market to those who stand in need of a labourer's assistance.

I have further understood that in a year or two after the first experiment, between fifty and sixty families of the same class, who arrived late in the season, and for whom immediate employment could not be obtained, were located on similar lots, in two other townships in the eastern part of the country ; but as there were then no settlers there who could afford to hire labourers, the

parties in question were employed, at the public expense, in opening roads and clearing lands, during the winter months.

According to all accounts, these poor people have also done well ; all of them now possessing cattle, and many having saved wherewithal to purchase land which they are engaged in improving.

It is at best problematical, whether the townships referred to would not have remained unoccupied to the present hour, but for this mode of settlement. One of them, it appears, from its superior fertility and the possession of a saw and grist mill, has made greater advances than the other, and withdrawn, indeed, from these causes, a portion of that other's population to itself ; but both have gone on steadily prospering, and have furnished, on more than one critical occasion, a hardy well-affected race of men, for the defence of the province.

In the whole country there is, in fact, scarcely a town or village in the vicinity of which from

five to twenty-five families might not be thus advantageously located, were means set apart for the purpose, as readily they might be, under a revised method of conducting the affairs of the whole land department, and a legitimate appropriation of its funds.

The entire expense of locating in this wise, a family of five persons is computed to be from £7 10s. to £10 currency (a ninth less in sterling), allowing £5 for the construction of a hut, and from £2 10s. to £5 for transport and provisions. The expense would of course be greater in new, unsettled townships, because the government would have to provide employment for such settlers until they should bring their lands under cultivation, and there should be a higher grade of settlers to require their labour. But this is an objection far too trivial to be entertained, considering the very great importance of the object to be promoted, nor should it be allowed to militate in any way against the practice of the measure advocated.

I quote from a very able and interesting work, published anonymously in 1834,\* the following passages, serving to bear me out in many of the conclusions at which I have arrived in regard to the alienation of the public lands in Canada from their legitimate object.

Speaking of the baneful effects of Crown and Clergy Reserved Lands interposing between cultivated allotments, the author says: "As flour is an element of bread, so is waste land an element of colonization; but as flour which has been turned into pie-crust will not make bread, so neither is waste land which has become private property an element of colonization.

"It is the disposal of waste land in a certain way which is the primary means of colonization, and when the land has been disposed of in another way, the power to dispose of it in the right way no longer exists. Land, to be an element of colonization, must not only be waste,

\* England and America: a Comparison of the Social and Political State of both Nations. 1 vol. large 8vo., New York edition.

but it must be public property, liable to be converted into private property for the end in view. In the art of colonization, therefore, the first rule is of a negative kind : it is, that governments having power over waste land, and seeking to promote the removal of people, should never throw away any of that power ; should never dispose of waste land except for the object in view, except for the removal of people, for the greatest progress of colonization.

“ This rule has never been strictly observed by any colonizing government : it has been grossly neglected by all such governments excepting only the United States, which, since they became entirely independent, have been more cautious than any other colonizing government ever was about the disposal of waste lands.”

Again : “ General Lafayette\* has been requested to sell his grant to people who will use

\* Alluding to the grant of land in the United States made to the late General Lafayette by the American people, in testimony of their sense of the services rendered by him to their cause during the War of Independence.

it, because, that is, being at once desert and private property, it is a bar to the progress of settlement in all directions towards its centre. This again is the case with the land of the clergy in Canada, who have obtained vast tracts which they cannot use, and with a still more absurd kind of property created in that colony; namely, tracts of land 'reserved' by the Crown in the midst of land which has become the property of individuals. In this last case the Government behaves worse than the dog in the manger, who only prevented others from using that which he could not use himself. Besides doing this, the Government of Canada injures all the people who surround its reserves of land, by interposing deserts among them; it is as if the dog had bitten the cattle, besides hindering them from eating the hay."

In Upper, as in Lower Canada, the means of affording a sound and useful education to the people are, by common assent, far in arrear of the general want.

Here again, it will be found, upon a close investigation, that in this, as in every other matter affecting the social happiness of the Canadian people, an *unwise administration of the public lands* has been the real root of all existing incongruities ; first, by preventing settlement to the extent needed, thereby checking population, and consequently retarding the physical improvement of the country ; secondly, by creating therein a false state of society ; thirdly, by vesting in unqualified hands a trust purely national ; and, lastly, by a general misapplication of means to ends.

Independent of the invidiousness of special land endowments, and the viciousness of their principle in a new country, no more convincing proof of their impropriety, in the present instance, could, perhaps, be adduced than the fact that, *ample as they are*, the slow measure of their productiveness, inseparable from their *prospective value* being set upon them as their *present worth*, has ill adapted them to the end designed,

while their concession has not superseded the necessity of reiterated appeals to the legislature for pecuniary grants !

These general remarks apply alike to both provinces ; but, in regard to specialities, I must confine myself to Upper Canada, as it is in regard to that province chiefly that I have acquired my means of information on the subject. And, first, as regards endowments for the purposes of education.

A few years after the injudicious division of the province of Quebec into the provinces of Upper and Lower Canada, it was directed that a portion of the waste lands of the Crown, situated in the former, should be set apart for the endowment of grammar schools, and, in process of time, also of a university. Accordingly, several townships were selected, comprising, after the usual deductions for Crown and clergy reserves, about 549,200 acres.

At the expiration of the next ten years, so unfruitful had proved this extensive grant, that



the local legislature was under the necessity, in order to meet the pressing wants of the community, of appropriating from the revenue of the province the annual sum of £100 currency to each district, for the maintenance therein of a school, corresponding in some degree to an English grammar school.

These schools, established in virtue of legislative enactment, were subject to certain regulations, and placed under the direction of trustees nominated by the Lieutenant-governor. There are now twelve, if not thirteen, of them in existence; but, according to all accounts, in a very inefficient state.

Within the ensuing fifteen years, the land endowment still remaining insufficiently productive, the legislature found itself called upon to assign annually to each district a further sum of £250 currency, for the support of a common school, and the same, as far as the provincial funds will admit, is still continued. Independent of these special pecuniary grants, a general

one, amounting to £5,000 currency appears, on one occasion to have been made.

This brings us to 1823, about which period, the Colonial Secretary possibly presuming that the barren endowment had too long revelled in its native wildness, assigned the management of it to a local general Board of Education, composed of various personages holding prominent stations at Toronto.

Judging by results, the proceedings of this Board, during the ten years that it continued in existence, tended as little to promote that most essential object of its appointment—the promotion of the cause of elementary instruction—as to have inspired the public with confidence in its wisdom: since the quantity of school lands leased or disposed of under its management did not, it should seem, exceed twelve thousand acres; while, in 1832, the trust reposed in it was resumed at the requisition of the House of Assembly, subject to whose control was thenceforth placed all revenue derived from past, or to be derived from future alienations.

I am not aware what further sums have been realized under this new arrangement; though, considering the almost entire cessation of immigration, and the unsettled state of the country for some years past, they cannot have been very great.

But there is a point, connected with the proceedings of the Board just mentioned, which remains to be adverted to. It has been stated that the land endowment, forming the subject of discussion, contemplated, among its other objects, the establishment, in process of time, of an university. Now this, if it meant any thing, surely implied the pre-existence of a state of things which should justify the erection of such an institution: for a condition of society can scarcely be conceived so anomalous as to require a seminary conferring the higher grades of academic learning on the few, while the means of extending elementary instruction to the many, should be almost wholly wanting. The Toronto Board of Education took, however, an entirely different view of the question: either assuming

that elementary education in Upper Canada had attained its zenith; or deeming it better to begin at the apex and work downwards to the base of the structure they were called upon to rear, than to follow the old-fashioned custom of first laying the foundation, and then working upwards. In other words, they sought to invert the entire order of the whole scheme of the endowment, by strenuously endeavouring to raise the projected university at the expense of the primary schools.

To this end, a royal charter of incorporation was applied for, and granted. The next proceeding taken was of a far more profitable nature. Influence was successfully exerted with the Home Government to induce the King to resume out of the original general endowment about 225,900 unproductive acres, and to assign in exchange for the same the like quantity from scattered Crown reserves, partly under lease, in old settled townships, where the lands bore a greater present value, as a special endowment

for the university. This might or might not be grasping for a single object an undue share of the primitive grant ; but this was not so much the question, as that what *could* be done for special education was not done for popular education *in preference* ; seeing that the latter was miserably languishing for the means of extension and support, and the wherewithal was wanting to accomplish both objects in conjunction.

The stimulant, however, of snug benefices and patronage in prospective, attaching to the one case was deficient in the other, which had alone to recommend it, the advancement of the public good.

Thus far all had gone on in accordance with the views of the Board, but the further progress of their undertaking was frustrated by an untoward incident.

The charter, when it arrived, gave such general dissatisfaction, from the exclusive religious tests which it required of the College Council and professors, the nomination of the Archdeacon of

Toronto, for the time being, as President of the University, and some minor matters of detail, that the legislature petitioned the King to supersede it by another, excluding the obnoxious clauses.

This was declined, as an irregular method of proceeding, but the Provincial Legislature was empowered to pass an act, making such amendments to the charter as they might deem expedient. Numerous sessions elapsed in vague and acrimonious discussions on the subject: nor was it until the early part of 1827, that the points at issue were finally adjusted in the manner suggested.

Pending these occurrences, a march had been stolen on the projectors of the University, by the present Lord Seaton, then Lieutenant-governor of the province, who succeeded in establishing, in January 1830, after much difficulty and labour, the institution known as Upper Canada College, and which corresponds in its principle to superior grammar schools in England.

As a special endowment for this seminary, the further quantity of 66,000 acres was abstracted from the school lands, and exchanged, as in the case of the embryo university, for an equivalent in more valuable Crown reserves. Moreover, it had assigned to it an eligible location in the best part of Toronto; while the land pertaining to a 'royal' grammar school already existing there, which it superseded, was sold for its advantage.

It might have been supposed that these benefits, combined with the ordinary revenue arising from the fees of tuition, would have sufficed for the efficient maintenance of the institution, but such has not hitherto been the case; and it is evident, from documents submitted to the provincial legislature, that yearly appropriations from the funds of the university endowment, have alone enabled the college to go on.

These appropriations now constitute positive alienations from the endowment in question; for, by a clause in the provincial act amending the

university charter, the college has been incorporated with that institution as a subsidiary branch; so that the endowments of either have thus virtually become common to each; though practically, the advantage has been rendered altogether one-sided by the pre-existence of the college, and the endowment of the university being more immediately productive.

Such being the state of the case up to the early part of 1837, it may readily be surmised, on a review of the circumstances of the country subsequently thereto, that the university stood but little chance of assuming a more tangible shape than formerly: while, in point of fact, what between the foregoing causes, and one or two others yet remaining to be mentioned, the scheme of its present erection has completely fallen through.

In the session of the Upper Canada legislature ending in April 1839, an act was passed appropriating a still further portion of the annual revenue accruing from the University



endowment, to the support of Upper Canada College and the District Grammar Schools, on the ground that education would be thereby more effectually advanced, considering its present state, than by the erection of an University.

The proceedings incident to this measure having necessitated an inquiry into the actual state of the University funds, it was discovered that large abstractions had been made therefrom, for private purposes by the officers entrusted with their management; that loans had been granted from them on mere personal security; and that, in fine, profiting by the state of abeyance in which the University had so long been left, the officers in question had most shamefully abused the trust reposed in them. Two of the subordinates were at once dismissed; but the general Board, with whom the responsibility virtually rested, escaped harmless; though it was obvious that the work of spoliation must have been going on for a considerable length of time.

From printed statements submitted to the

House of Assembly, it would appear, that the aggregate value of the lands of the endowment sold or leased, to the end of 1838, was £100,809 currency, whereof £53,224 had been actually received, leaving £47,585 to be realized. On the other hand, the amount of the alienations to Upper Canada College was (including, I believe, nominal interest) £33,944; the estimated value of loans and investments, &c. £15,237; and the apparent cash balance £8,368, making an aggregate amount of £57,550 in assumed assets; but very little of which, it was believed, could *readily* be made available.

As regards the land endowment, a review of much that has preceded, taken in conjunction with some further returns to the legislature, will give the following results.

Disposal of original grant of 549,200 acres :	
Resumed by the Crown, in lieu of	
scattered reserves granted to the	
University .....	225,900
Resumed by the Crown in lieu of	

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scattered reserves granted to Upper		
Canada College .....		66,000
Apparent balance for Elementary		
Schools .....		257,300
		<hr/>
Total		549,200

Disposal of the above special grants :

	Alienated.	Disposable.	Total.
University en-			
dowment ...	93,700	132,200	225,900
College ditto...	17,388	48,612	66,000
		<hr/>	<hr/>
		111,088	180,812
			291,900

As regards the school residue, deducting the 12,000 acres alienated by the Board of Education, and also about 17,000 more, which are stated to have been granted to surveyors for professional services in lieu of money payments, there will remain a seemingly disposable balance of 228,300 acres; but allowing for what may have been since realized, and for mis-statements, it will be perhaps safer to estimate the actual quantity available at 200,000 acres.

I have been thus minute in the history I have attempted of one great branch of the special land endowments in Upper Canada, from a desire to prove, that while such endowments are incompatible with the condition of a *new country* requiring to be *quickly* settled, they are, howsoever ample, inadequate as a means to the ends which it is their professed object to promote.

The case brought under review presents a striking illustration of this fact; establishing, moreover, that even were the principle of the endowment a correct one, the method of its development was replete with fallacy and injustice; attempting as it did to invert the legitimate order of a common inheritance.

Though, unquestionably, an object most desirable *per se*, the establishment, if it were possible, of an institution in Upper Canada, conferring only on the few the higher grades of literary and scientific learning, would be a strange burlesque, *so long as* elementary instruction remained in arrear of the general want. A very strong

feeling consonant with such view, obtains on this subject in the province; and it was signally displayed when there seemed a probability of an University and a College figuring in conjunction, at *Toronto*, when the rest of the country was inadequately supplied with schools.

Another serious evil arising from the neglect of popular education in Upper Canada, is that throughout the rural districts, numerous American adventurers, many of them persons of the lowest grade, and imbued with sentiments the very reverse of friendly to everything that is British, have "squatted" as elementary teachers, wheresoever they found the field unoccupied; pursuing their speculation with pecuniary profit to themselves, but with any thing but advantage to the moral discipline of their youthful pupils.

There are a few good private schools in the different towns of the province, conducted by competent individuals; but such are of course useless as regards the rural population, as is

also the Wesleyan Methodist College, established at Cobourg, which, notwithstanding the clamour raised against it by persons of ultra notions, is, according to every account, a very well conducted and very useful seminary. It has received from the local government, in aid of its funds, a loan or grant of about £800 sterling, and is under the management of a Board of trustees.

The only effectual remedy for the untoward state of things thus induced in regard to education, by a wrong course of action, would obviously seem to lie in the appropriation of *the whole* of the present annual revenue, derived from the University endowment, to the common purposes of elementary education, as it is now *in part* applied ;—the *resumption*, so as to effect the speedy realization of the residue of the entire educational endowment yet unalienated,—say, in round numbers, from former statements, 380,000 acres,—by fixing on it in common with the Clergy Reserves and all Crown Lands, a

price that should readily command purchasers; and finally the investment of such proceeds in a productive stock, the interest wherefrom to be progressively applied in promoting the general cause of education, irrespective of its highest branches.

When a fitting time arrived for the erection of the proposed University, the object might be accomplished by the joint agencies of a special pecuniary grant (since it may be assumed that the country would *then* be in a condition to afford it) and the voluntary contributions in subscription shares or donations, of individuals interested in its establishment, in the same manner that we have seen practised in England in the cases of the two Metropolitan Universities of recent origin.

By the realization of the lands of the endowment, the two-fold object would be effected of extending education and promoting immigration : while, regarding as we must, on the one hand, former unwise alienations of the public

lands in Canada, as the fundamental cause of its present weakness ; and, on the other, wholesale immigration, as the chief element of its future strength, it is apparent that the remedy which may serve to remove the one, must equally contribute to advance the other.

Apart from the abstract consideration of the impolicy so frequently adverted to, of a colonizing government releasing from its own control, *for any purpose whatsoever*, the means of regulating the settlement of a country needing population, it cannot reasonably be doubted, keeping in view the arguments already adduced in regard to education, that the cause both of religion and sound public morality in Upper Canada would have been far better promoted, had that element of fierce polemic strife, the “Clergy Reserves,” never been introduced into the province ; and had pecuniary provision been made in lieu thereof, for the support of a Christian ministry, from the very extensive fund



which might readily have been accumulated from the progressive sale of all public lands indiscriminately at a moderate price.

They who, from personal observation, are aware of the minute sectarianism, and the spirit of religious independence, which obtain so generally in Upper Canada, will at once concur in the opinion that no dominant church, of any kind whatsoever, could have maintained itself there, even had such been established in the outset; while to hope for the establishment of one *now*, or of any thing in the least approaching to it, would be the very acme of self-delusion. This is obvious, when it is borne in mind that the ranks of Canadian society are *essentially* recruited by individuals who are *not* of the Episcopal Church of England; and that no one great Christian denomination *sufficiently* predominates over the other to entitle it to any thing savouring of *exclusive privileges*.

Possibly, the scale of gradation respecting

numbers, *may* be such as it is shown in the attempt at a religious census,\* lately made at the instigation of the provincial parliament, namely; 1st, Church of England; 2d, Church of Scotland; 3d, Methodists, of all kinds; 4th, Church of Rome; 5th, Baptists.

But implicit reliance must not be placed on the returns in question, because, in the first place, they were wholly devoid of such authority as would give them weight; in the next, were lamentably deficient in uniformity and correctness of detail; and lastly, were admitted, in very many cases, by the parties who made them, to confound indiscriminately together, the number of individuals and the number of families.

I speak advisedly, and from positive knowledge on this point; having had the opportunity of seeing the whole of the separate returns them-

\* An abstract, apparently of this census, has lately appeared, if I remember rightly, in some of the public prints.

selves; than which nothing could be more vague or unsatisfactory, as statistical data.

Though much information has already been promulgated on the subject, it may not be amiss, in this place, to state briefly the history and statistics of the clergy reserves of Upper Canada.

The reserves consist of one-seventh part of all surveyed lands throughout the province, and were set apart pursuant to a provision made at the time of the division of the province of Quebec, for the support, as the terms expressed, of the Protestant religion.

The ambiguity of this wording, while it has given rise to much ingenious controversy, both in and out of Canada, appears to baffle satisfactory solution. But whatever might have been *intended*, it should seem obvious that the designation in question does not necessarily imply, even in spirit, a purely episcopal clergy, and therefore, each pretending party is left an opportunity of construing the meaning according to its own particular view. We may be assured,

however, that no degree of precision would have sufficed to overcome the jealousy which speciality would have excited on the part of a community whose components are of the character of those described. Argument, therefore, upon the matter becomes useless; the Canadian people will a distribution of some kind; and where are the means available, supposing their employment to be justifiable, of resisting their fixed determination?

I am not aware of the precise nature of the grounds on which the members of the *Romish* church rest their claim to a participation in the clergy reserves; but I have understood that they would readily forego it, were a portion of the forfeited estates of the extinct order of Jesuits in Lower Canada set apart for their use.

These estates are said to be very valuable; but the notion of any *further* land endowment for the purposes of Catholicity, seeing how amply it is already provided for in Canada, cannot be too strongly repudiated. The Ca-

tholic priesthood in Lower Canada already enjoy very undue advantages over their Protestant brethren, whether dwelling there or in the Upper Province, and the extension of similar privileges to the members of their church in the latter, would be a proceeding no less impolitic than unjust. In addition to their tithes, the Romish priesthood of Lower Canada hold an immense amount of real estate there, under the feudal tenure, notwithstanding that their retention of such property in seigneurial right, is a direct violation of the conditions on which the tithes were granted to them.

As regards the "Jesuits' estates" referred to, the legitimate mode of dealing with them would seem to be their speedy realization by sale, the proceeds derived therefrom to be invested in a common fund for the promotion of religious and secular instruction ; in which case, the Catholic clergy of Upper Canada might, without impropriety, come in for a share of the *pecuniary* grant.

This is the most they can reasonably expect, and the most, at any rate, that should be conceded to them in common with the other chief Christian denominations.

According to official statements submitted to the provincial legislature in the early part of 1839, the amount of clergy reserves taken from surveyed lands, is nearly 2,400,000 acres; consequently the aggregate of the latter is not far short of 17,000,000 acres.

The number of acres actually sold or leased, appears to be about a third part of the whole endowment, thus leaving a residue of about 1,600,000 acres to be realized.

Up to that time, the stated value of the sales effected was (computed in sterling) £294,221; the *net* amount of the sums realized, and invested in England, £97,628; the balance remaining to be paid £179,991.

Payments on sales of clergy reserves are allowed to extend over a period of nine years, and interest on any instalment is not charge-

able, unless such instalment should be overdue.

In regard to leases, there is left, I believe, no right of pre-emption at their expiration.

From what has preceded, it is seen that the present annual income accruing to the episcopal clergy from the land endowment is composed of rents on leased lands, dividends on investments, and interest on outstanding balances. I know not what may be the aggregate amount of these items; but its alleged inadequacy,—thereby proving the mischief of the endowment as regards immigration,—entails upon the Crown fund, as I have elsewhere stated, an annual charge amounting, I believe, to about £7,700. From the same fund, also, the Presbyterians, the Wesleyan Methodists, and the Roman Catholics, receive amongst them about £4,500.

Judging from certain manifestations within my cognizance, that betrayed themselves towards the close of last year, the episcopal clergy of Upper Canada would seem to be animated

by a desire to deprive the local government of the power of issuing marriage licences, and to secure to themselves, as an ecclesiastical right, the profits of this civil privilege. It would be a matter of very deep regret, if any attempt of this kind should in effect be made; because not only must it end in failure, but also entail upon the clergy in question a degree of odium, not very desirable under existing circumstances to incur.

The preferment of the claim would prove, we may be well-assured, a second Clergy Reserves' squabble; nor could any greater mischief than its success, if success were possible, be perpetrated; since the effect would be to unhinge the general contentment which obtains in regard to the mode at present practised, and which effectually obviates the slightest sacrifice of conscience.

The fee on each of these licences is 30s. currency, or 26s. 8d. sterling, two-thirds of which form a perquisite of the Lieutenant-governor,



who appropriates it to the use of his civil secretary, the remaining third being retained by the district agents, charged with the distribution of the licences.

It would no doubt be more desirable that the proportion of these fees, accruing to the Lieutenant-governor (averaging annually it is said, during the last few years, from £1,200 to £1,400), should merge in the general funds of the province (to be applied, if necessary, to ecclesiastical purposes), than that they should continue to form part of the emoluments of a civil officer, whose salary, on the contrary, should be fixed and paid in the same manner as that of any other public functionary; but it would be the height of imprudence, for the reasons stated, to transfer from the person administering the government, the privilege he has so long exercised with advantage to the community at large.

Though the settlement of the long-agitated Clergy Reserves' question by any pacific means

whatsoever would be a positive gain, inasmuch as it would serve to tranquillize the country, it is another matter how far any measure of adjustment, founded on mere temporary expedience, might prove lasting, or avert the possible contingency of an eventual confiscation of the whole endowment for purposes other than those of a religious nature. Under existing circumstances, this much, at least, is certain, that by seeking to preserve an exclusive claim to all, the episcopal clergy will lose all, whatever may be the prospective chances, of their remaining in the permanent enjoyment of such part as a present division might appear to secure to them. Regarding, therefore, this contingency, and considering also the reparation of an original error, the effectual means of adjusting the present difficulty would appear to consist in the resumption of that part of the reserves remaining undisposed of, in the same manner that has been suggested in the case of the educational endowment; in order that such part might be similarly realized, at a price to

command purchasers, and thence promote immigration.

It is not proposed to alienate the proceeds arising from such sales from their original purposes; but, on the contrary, to apply them exclusively to those purposes, (together with the annual revenues actually derived from the lands that have already been sold or leased,) in such proportions as the relative numbers of any recognized class of participating denominations might render necessary; while any deficiency requiring to be made up for the adequate support of all, should be supplied from the common revenue of the country. By this means all present conflicting interests would cease; the cause promoting religious dissension would be removed; and tranquillity might confidently be expected to succeed the reign of bitter sectarian discussion.

They who argue the religious cause of Canada, by analogy with that of England, argue upon fallacious grounds, since not the shadow of

analogy exists between the two cases. A land endowment in Upper Canada, for religious purposes, (particularly if they be of a special nature,) must be considered as in every respect unsuited to the primitive condition of the country; because it not only defeats its own object by retarding general progress, but subverts the social order which it is its professed object to maintain.

Adequate pecuniary grants are the substitutes needed to place both religion and education in Canada on the efficient footing on which it is desirable that they should be established there; nor can it be doubted that such grants might easily be furnished, were the necessary measures taken to improve the general provincial revenue, by the judicious management of waste lands, so as to induce immigration, and by the right development of the country's vast internal resources.

The means to the end last mentioned will form the subject of the succeeding chapter.

### CHAPTER III.

**State of Public Works.**—Their completion an element of prosperity and strength.—Means of effecting this.—**Sources of future Revenue.**—Trade and Commerce.—**Facilities for Smuggling.**—Large consumption of smuggled Tea.—Remedy suggested.—**Ordinary Revenue.**

**INASMUCH** as the first step requisite is to *secure possession of the country, by increasing its population* through the medium of an extensive immigration, promoted by the judicious management of the land department, so, dependent upon these preliminaries, nothing appears more essential to the financial prosperity of Canada than the completion of the public works commenced there, to be effected by means of the capital, skill, and labour which such immigration would introduce.

The works in question are the canals, for the partial construction of which the bulk of the pre-

sent public debt of Upper Canada has been incurred; and which, in their present state, are conspicuous only as the absorbents of a large amount of credit capital, raised on debentures remaining to be paid, the annual interest whereof not having been specially provided for, as it should have been at the respective periods when the debt was incurred, is thrown upon the ordinary revenue, which it nearly equals in amount; and has consequently plunged the province into a similar state of bankruptcy to that (yet to be adverted to) entailed upon the commercial community by the local banks.

Though the design of the expenditure was good, it is clear that nothing could be more improvident than the method of developing it; and there is no saying where the imprudence practised might have stopped, but for the salutary lesson given to the Canadians by their republican neighbours, in the exhibition of reverses consequent on a spirit of enterprise carried to an extent that not even the immediate

realization of the great prospective advantages anticipated from the gigantic undertakings commenced, could have sufficed to keep in countenance.

Commenced in like manner on a scale (minor only by comparison), calculated with reference less to a present than to a prospective-state of things,—the main stimulant to which, immigration, was strangely neglected,—the canals of Canada, or such parts of their general chain as have actually been brought into operation, could not be expected to yield an immediate profitable return proportioned to the outlay upon them, but which alone could avert the pecuniary disaster that must result from the imposition of a heavy special charge upon a fund already heavily encumbered with general services.

The question, however, now to be considered is, whether the works commenced in Canada shall be converted by their completion into elements of progressive wealth, proportioned to the creative industry of a population, whose

numbers should be continually augmented by the extraneous aid of immigration, or be left in their present stagnant unfinished state, involving in their own decay, the irretrievable loss of what has already been expended on them?

Assuming, as we have a perfect right to do, if no half-measures be adopted, the contingency of the country remaining for some years longer a British province, preparatory to becoming an independent State of England's rearing, connected with her by the ties of a common interest, the strongest of all national alliances, there need be felt but little hesitation in answering affirmatively the former interrogation. But if the rightful means to *secure* the country be neglected, why then, certainly, it would be the height of folly for England to aid in perfecting that, the benefits of which would be reaped by others, who have interests adverse to her own.

With reference to the first of these hypotheses, a very few remarks will serve to illustrate the view here taken of the future capabi-



lities of Canada, contingent on the increase of its population by means of immigration.

The Welland canal, overcoming, as it is known, with a length of twenty-eight miles and three hundred and forty feet of lockage, the difference of elevation between Lakes Erie and Ontario, though in active operation for several years, has been so injudiciously constructed, as to involve an annual expenditure in repairs alone, surpassing the whole amount derived from it in tolls, notwithstanding that these have been steadily increasing. The locks being built of timber in lieu of stone, sufficiently accounts for the necessity of the heavy outlay mentioned ; but the facility of getting timber, does not palliate the oversight which led to such a mode of structure.

The original dimensions of this canal were adapted only to the passage of ordinary canal boats, but they were afterwards enlarged so as to admit of that of the lake schooners, not exceeding an individual burthen of two hundred

tons. It was commenced by a private company, who expended on it £117,000; but the bulk of the outlay on the work, as it now stands, has been defrayed from other sources, *viz.* £275,000 from the public debt of the province; £73,000 from the British Government, and £25,000 from Lower Canada, making, with the item first mentioned, a sum total of £490,000 currency.

The adaptation of the canal to future exigences could probably alone be effected at the cost of as much more; since the locks, now fast falling to decay, would require to be rebuilt of stone, and the channel sufficiently enlarged for the passage of steam-boats of a large size.

But, if these improvements were made, it is no exaggeration to predict that the increased profits arising from the superior navigation afforded would amply repay, at no distant period (contingent always upon immigration), the whole expense of the undertaking, from first to last, and yield besides a large surplus revenue.

It is further computed, that by means of

these operations, the present annual expense of £19,000, incurred for repairs and management, would be reduced to £5,000, thereby effecting a saving of nearly three-fourths.

Apart from mere domestic considerations, we must consider the Welland canal with reference to its capabilities in regard to extraneous objects.

It has already been the means of diverting from the tedious navigation of the Erie canal, much of the carrying trade required for the New York market; Oswego, at the eastern end of Lake Ontario, thus becoming the chief outlet for the extensive traffic between the Atlantic cities and the great Western States, in lieu of Buffalo on Lake Erie, the common centre towards which, as it is generally admitted, all the great arteries of the internal communication have a tendency to converge.

The very large number of American steamers plying on the latter lake, sufficiently warrants the conclusion, even were other evidences want-

ing, that the mutual relations of those States and the older States of the Union, are continuous and increasing; while, indeed, the population of the former are already extensive consumers of manufactured goods, and raise more than sufficient produce for their own consumption.

The transit, therefore, of merely a portion of such increased commerce through Canadian waters, would seem almost alone calculated to insure the reimbursement of the expenditure necessary to secure it, in common with the profit derivable from an augmentation of domestic trade.

But independent of pecuniary considerations, it is proper also to regard the Welland canal with reference to its susceptibility of being made, in case of emergence, a strong military barrier of defence, along that part of the southwestern frontier where it is situated.

I blush, as an Englishman, to state that on the British side of Lake Erie, a steam-boat

is quite a rarity ; a fact perhaps in some degree accounted for by another, equally lamentable, that unless at the extremities, or on the American side of this great sheet of water, there is scarcely a port or harbour wherein a vessel might find refuge from the storms which frequently prevail upon it.

The improvement of the Welland canal might possibly, amongst other advantages, induce the building of steamers, and the formation of ports on Lake Erie: let us hope that such would be the case.

The unwise cession by Great Britain to the United States, of an island in the St. Lawrence, termed “ Barnhardt’s Island,” having brought such portion of the navigable channel of that river within the limits of the Republic, led in a great measure to the construction by the British Government, at the cost of more than a million sterling, of the great military work, known as the Rideau canal, which serves to connect the waters of Lake Ontario with those of the river Ottawa.

The utility of this canal, though complete to an extent, is rendered, on the whole, imperfect, by the want of proper adjunct links between Bytown, where the canal strikes the Ottawa, and that river's mouth. The canal itself is navigable for a small class of steam-boats ; but on parts of the line of the Ottawa, forming its continuation, such is not the case ; the channel termed the Grenville canal, and also that at the rapids at St. Ann's (one lock of which is owned by a private company), admitting of the passage only of small canal boats of the usual kind.

By enlarging these two points of the navigation, and purchasing the right of proprietary in the lock (measures no less necessary for military than for commercial purposes), steam-boats could ascend the Ottawa, without obstacle, from Lachine (within nine miles of Montreal), and proceeding along the Rideau to Lake Ontario, could thence descend the St. Lawrence from Kingston to some miles below Prescott, performing, in this wise, a complete circuit of navigation.

This effected, conjointly with the completion of the Welland canal, in the manner hereinbefore suggested, facilities of internal communication would be supplied, which would amply suffice for the trade of Canada, based upon the wants of a fast-increasing population, for many years to come.

As regards the St. Lawrence canal, intended to remedy the difficulties of navigating parts of the St. Lawrence, and projected on a scale to admit the passage of large steam-boats and sea-going vessels of a certain draught, I confess myself to be of the number of those (and they are many in Canada) who consider it to have been prematurely undertaken, and also very unwisely prosecuted.

One great objection to this canal is, its close contiguity to the United States' frontier, and its consequent liability to be at any time injured or destroyed by marauders from thence. It is for the prosecution of this stupendous work that the bulk of the provincial debt has been incurred ;

without, as I have already stated, the slightest provision being made for payment of the interest thereof, until the realization of profits on the undertaking. A portion of this canal, near Cornwall, is in a forward state; but such portion, even if finished, could not be made available for any useful purpose without the construction of a continuous chain of further extensive works in both provinces—a contingency, under all circumstances, somewhat remote.

At any rate, the necessary steps for its completion should be deferred until the other two canals be placed in an efficient state; since the prospect of it yielding a profitable return is far too distant to entitle it to a preference; and it would be obviously impossible to acquire the means of effecting the triple object simultaneously.

It was said to have been anticipated, by those who advocated the construction of this canal, that the effect of its operation would be to divert almost entirely from the port of New York, to

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Quebec and Montreal, the yearly increasing export and import trade carried on with the Western States; and to induce the building of sea-going vessels on Lake Ontario, which, laden with Canadian produce, should proceed at once to England and her West India possessions.

That the latter object might have been attained is probable; but, as regards the first, the chance is somewhat more doubtful; for, however willing the Americans might be to use a British canal, enabling them, like the Welland, to traffic more readily *between two of their own ports*, as Buffalo and Oswego, they are not a people likely to withdraw from their great commercial emporium, a flourishing trade, in order to throw it into the hands of rivals; the more particularly when the dangerous navigation of the gulf of St. Lawrence is set off in the account against the safety of the Hudson. Speculation, therefore, in this instance, must be considered as having exceeded

reasonable limits, whatsoever its degree of plausibility. Were the navigation of the St. Lawrence in American hands, or were the Oswego and Erie canals *not* constructed, the case would indeed be different ; while, in effect, it is seen that, prior to the completion of the canals in question, the produce of the American frontier States was conveyed by the British to the New York market, *viâ* the St. Lawrence and the ocean ; but the opening of these canals speedily changed the aspect of affairs, and the Americans thereby secured to themselves all the advantages which their neighbours had been in the habit of enjoying.

It was this circumstance which, at first acting depressingly on the Canadian people, suggested the formation of the Welland canal ; and the numerous American vessels that pass through it afford a partial indemnity, as regards Upper Canada, for the loss previously sustained ; but, on the other hand, it would seem, from official statements, that since 1825, the year signalized

by the completion of the Erie canal, the general revenues collected at the port of Quebec have gradually diminished.

Notwithstanding what precedes, I must not be considered as arguing against the completion of the St. Lawrence canal, (howsoever unwisely it may have been commenced,) if means be plentiful; but as contending merely for the *prior completion* of the two more important works first referred to, present means being insufficient for all these objects simultaneously.

In Lower Canada, the canal commenced between Chambly and St. John's, for surmounting the impediment to navigation presented by the rapids of the Richelieu in that direction, remains in an unfinished state; but it is in every respect desirable that the work should be resumed and perfected, in order to preserve unbroken the line of water-communication between Lake Champlain and the St. Lawrence.

I extract, from a recent report of a finance committee of the House of Assembly of Upper

Canada, the following particulars respecting the origin, progress, and result, of the local improvements, in regard to internal navigation, undertaken within the last few years by the State of New York, as such statement will serve as a *prestige* of the benefits that might be expected to accrue to Canada from similar sources :

“ In 1817,” say the committee, “ the New York legislature appeared wholly unconscious of their ability to complete the Erie and Ontario canal, when they applied for aid to the General Government and all the States interested in their success.

“ In 1821, four years after they had commenced, the comptroller of the State, in obedience to a resolution of the legislature, estimated the revenue of the canal, for the ten years next succeeding its completion, at 150,000 dollars annually. The amount actually received during that period, exceeded ten millions of dollars.

“ In the memorial of Governor Morris, before

the commencement of the work, he predicted that, within twenty years, 250,000 tons would be annually borne to tide-water.

“ In 1836, 697,347 tons reached tide-water by that conveyance; and the total tonnage that year, ascending and descending, exceeded 1,300,000 tons.

“ The tolls,” add the committee, “ were in  
1824, ... 340,000 dollars.  
1825, ... 566,000  
1826, ... 762,695  
1833, ... 1,542,695.”

It is almost superfluous to observe, that the imports into Canada consist of all sorts of British manufactured goods and colonial produce, besides various commodities from the United States; and that the exports comprise grain, lumber, pot and pearl ashes, and barrelled pork. Both the one and the other, though now considerable in the aggregate, are a very trifle compared with what they might become, were the physical condition of the country raised to the high standard which it is susceptible of attaining.

In a review of Mr. McGregor's work on British America, in a number of *Blackwood's Magazine*, I find the following passage respecting a portion of the internal elements of wealth possessed by Canada, and its general accuracy may be relied on :

“ One pledge for the future prosperity of Canada, is found in her mineral wealth. Even petalite, the rarest of fossils, is yielded by her soil ; iron, of the best quality, copper, tin, lead, plumbago, &c. &c., and all the metals predominant in the useful arts, have been found already ; nor do we recollect a single mineral which is indispensable to manufacturing industry, except only coal, which has not been discovered in Canada. Salt\* and gypsum, are

\* A great part of the salt consumed in Canada, comes from the State of New York, in which, near the towns of Syracuse, Liverpool, &c., there are very extensive salt works. An American gentleman in whose company I visited one of them, told me, the annual aggregate quantity of salt yielded by these works ; but I have lost the note I made of the particulars, and remember only that the produce was immense.

now produced in abundance. Even coal\* would probably have been detected long ago, had the woods been less infinite. And, should it even appear that coal were never detected, still the vast coal fields in the neighbouring province of Nova Scotia, are known to be sufficient for the consumption of all America, through very long periods of time."

The Earl of Durham, when in Canada, was very strongly impressed with the importance of completing on an enlarged scale, the various public works, to which I have alluded, and made very urgent representations to the Home Government on the subject; besides directing that surveys and estimates should be undertaken.

Having thus attempted briefly to explain the advantages to be anticipated from the completion and improvement of such of the water lines of communication in Canada, as are in a partially

\* I have understood, but do not vouch for the accuracy of the information, that coal has been found in parts of the country, lying a little to the rear of the shore of Lake Ontario.

operative state, it remains for me to add a few remarks, as to the sources whence the funds necessary for the purpose are to be derived.

In the first place, the meditated union of the provinces, would so far overcome the financial difficulties under which Upper Canada is labouring, as to throw on the common fund of both provinces, the charge for interest on outstanding liabilities, which the revenue of the Upper Province is singly inadequate to bear; but it could not, of itself, provide new capital, to avert, by the completion of the public works, the sacrifice of that already expended.

Premising, from the reasoning adduced, that those works if in effectual operation, would gradually reimburse their cost, the great desideratum is to raise a loan to finish them, and to provide specially for payment of the annual interest thereof, until such time, as the undertakings themselves should become profitable.

As the loan to be so raised should, to prevent *further* embarrassment, be limited to the power



of the province, to meet the yearly interest from funds immediately realizable ; it follows, from the debt already incurred by Upper Canada, being sufficient to absorb an undue share of the present revenue, even of the United Province, that such revenue must, by some means or another be first augmented proportionably to the increased demand upon it.

Now, there appear to be but two practicable ways of doing this :—first, by direct taxation ; or secondly, by an increase of duties on imported goods, as suggested by Mr. Poulett Thomson, in his recent speech on closing the session of the Legislature of Upper Canada ; but whichever method be adopted, immigration must be made its source of nourishment.

However free from objection in itself, considering the importance of the object to be promoted, and however lightly it might bear upon them, seeing that they have never laboured under similar burdens, the former scheme might prove, from its direct application, less palatable

to the Canadians than the latter ; which, in addition to its relative advantage as an indirect tax, would obviously yield, contingent upon immigration, a more fruitful revenue, from the additional circumstance of an increased consumption of the articles yielding duty.

The older States of the American Republic have hitherto relied, as a temporary means, upon a special revenue, collected within their respective limits, for paying the interest on loans contracted for effecting local improvements ; depending afterwards on the productiveness of the works constructed, gradually to defray the expenditure upon them.

The new States, on the contrary, have depended on the sale of lands ceded by the General Government, to pay such interest pending the construction of their works ; by which arrangement the waste lands sold are brought under progressive cultivation, and replaced by objects of a profitable nature. The present embarrassment of these States, in respect of the

engagements they have contracted, does not viti-  
tate this principle of action, inasmuch as those  
embarrassments are attributable not to discre-  
pancies between means and ends, but to enter-  
prise having been carried to a wild excess.

The pernicious land-granting system so long  
practised in Canada, effectually precludes, in  
the case of that country, the adoption of such a  
method of proceeding, even if it were desirable  
further to divert the proceeds of the sales of land  
from the purposes of immigration ; and therefore  
it is, that the only present alternatives for insur-  
ing the completion of the public works are, as  
already stated, a recourse to the practice of the  
old States of the Republic, or the increase of  
the Customs' duties.

According to printed statements\* of the le-  
gislation of Upper Canada, the public debt of  
that province, consisting of outstanding debentures,  
amounts to upwards of a million sterling,  
requiring an annual provision for interest of

\* Vide Appendix.

about £60,000, while the annual permanent expenditure of the civil government, amounting at a moderate estimate to about as much more; the yearly charge upon the province, may be set down in round numbers, at £120,000. To meet such charge, the utmost amount of revenue available does not apparently much exceed £70,000, so that a deficit of nearly £50,000 remains to be supplied from extraordinary resources.

About four-sevenths of the above revenue are understood to be derived from the proportion (thirty-eight and a-half per cent., or upwards of one-third) of duties levied at the port of Quebec, accruing to the Upper Province; and it is computed that the amount in question would readily be doubled (making £80,000 in lieu of £40,000), were those duties increased in the way in which they admit of being so, without any serious pressure upon the community.

Upon this basis of calculation, allowing a like ratio of increase for both provinces, the

amalgamation in a common fund, of future pecuniary means consequent on the union of the provinces, would create, at a low estimate, a special revenue derived from import duties alone, of £200,000. Assuming, therefore, a loan of a million sterling for the objects mentioned, to be negotiated on the credit of the united provinces (under the guarantee of England, if necessary), it is obvious that ample means would be available for defraying not only the interest it might bear (say five per cent.), but also the interest accruing on the debt actually incurred ; while the surplus might become a reserved fund, for the redemption of the debentures representing the latter, according as they became due.

On the other hand, the duties levied for this special purpose might be gradually relaxed, as the public works, completed by their means, became productive, by yielding tolls. As compared with similar and also other duties levied in the United States, this temporary burden on

trade would be very inconsiderable, and in a positive sense, it would be but lightly felt, considering how trifling are the present Canadian imposts.

As an auxiliary to this scheme of increasing the commercial revenue, another means yet remains to be spoken of, *viz.* the repeal of the law prohibiting the importation of tea into Canada from the United States, and the admission of that article on payment of a moderate duty.

It is notorious that the far greater part, say full three-fourths of the tea consumed in Canada, is smuggled into the country from the American frontier towns; and it is self-evident that on such an extensive line of open frontier as Canada presents, no effectual measures can be devised for putting an end to the practice. The low price at which the tea so smuggled can be sold, as also its better quality, forbids all competition to the fair trader who effects his purchases at Quebec; and thus a virtual monopoly is secured to the contraband dealer, which the

Canadians themselves have a direct interest in supporting. Indeed, generally speaking, they make no secret of their sympathies being enlisted on this side of the question; while it is affirmed that many persons amongst them, whose position in society would appear to place them above suspicion, are extensively concerned in the wholesale transactions alluded to.

The Canadians, in fact, from a code of morality by no means peculiar to themselves, not only see no impropriety in evading a law, which they justly consider an unwise one, but regard their transgressions of it as a merit.

I am warranted in this conclusion both by my own observation, and by conversations I have had with different parties, thoroughly acquainted with the subject, and who possessed ample opportunities of acquiring correct information in relation to it.

But to facts of detail, corroborative of the foregoing premises.

Common black and green teas, obtainable on

the average at 2s. 6d. currency per lb., have very few consumers in Upper Canada beyond the poorer classes in the towns; while the demand for old hyson and gunpowder teas, sold retail at the respective prices of 4s. 4½d. and 5s. currency per lb., is also very limited. What, then, is the description of tea in general use in Canada? and whence is it supplied? are questions that naturally suggest themselves. It is a sort of young hyson, of tolerably good quality, costing from 3s. to 3s. 6d. per lb. to the consumer; and must, from the latter circumstance alone, even if popular testimony did not prove it, have been procured from the United States through the intervention of smuggling.

Now, such tea is to be purchased to any extent, along the American line of frontier, at from 1s. 9d. to 2s. 3d. per lb.; the difference between these sums and those first stated, constituting the profit derived from the contraband transaction, and being generally divided between the smuggler and the dealer. The way in which



the smuggled tea is generally paid for, is in return cargoes of deal planks, a staple produce of the country; nor is such mode of payment confined to the illicit article alone, being extended to various imported commodities of legitimate commerce, which is said to be steadily increasing between the two countries.

On my journey homeward from Toronto, I availed myself of a brief sojourn, in two or three of the frontier towns to make some inquiries relative to the smuggling of tea, and soon learned sufficient to have convinced me, had doubt before existed in my mind, of the general accuracy of my previous information on the subject.

I had besides, on one of these occasions, ocular demonstration of a part of what I wished to ascertain.

I chanced to be standing at the door of one of the hotels, conversing with the landlord, when a large country waggon heavily laden with chests of tea drove up; at sight of which, my companion's eyes glistened, and forthwith a close

parley ensued between him and the driver, apparently as to the place where it should be stowed away. On his rejoining me, I said carelessly, as though the thing were a perfect matter of course, "I suppose that is intended to rejoice your friends on the other side?" He smiled significantly in affirmation of my surmise; presently adding—"I guess you've hit it, but the nights are not yet favourable." That is, they were too moon-light.

Tea is not the only article that is smuggled into Canada from the States; but it is the chief, and also the most profitable one, constituting in fact the whole nucleus of the system.

Formerly, the importation of tea was permitted under Canadian Acts, which have been long since repealed by a statute of the British Parliament.

For some time afterwards, tea was subject to a duty in the United States; but such duty having been within these last few years, entirely withdrawn, the check it placed on smuggling has, of course, also been removed.

There are many warm advocates in Canada for the repeal of the prohibitory law, and the enactment, in its stead, of one authorizing the admission of the nominally excluded article, at a low rate of duty; nor can there be a question that a very considerable revenue might be derived therefrom. Strong representations as to the impolicy of the present law have also been made to the home government by the provincial legislature; but, as far as I have heard, such representations have not produced any satisfactory result.

I am not prepared to offer an estimate of the quantity of tea, that is annually consumed in Canada; but such consumption must be very great; since the habits of the rural population assimilating in this, as in many other respects, more to those of the Americans than of the English, lead them to drink tea with almost every meal they take.

As regards the ordinary sources of Canadian revenue, the little I have to say respecting them,

may have already transpired through other publications, but it is nevertheless expedient that the subject should receive in this place a passing notice.

Both Upper and Lower Canada, are entirely free from any thing savouring of direct taxation.

The funds constituting the ordinary revenue of the first, are (as already mentioned), chiefly derived from a participation in the duties levied at the port of Quebec; from duties on imports from the United States (about £10,000 per annum); from interest on loans for public works; from harbour dues and canal tolls; from duties on licenses for the sale of spirituous liquors, as also for distilling; from fees on militia commissions; from fines; and from various incidental sources. The casual and territorial revenue is mainly derived, from the produce of sales of crown lands and timber; rents of crown reserves, rents of mill seats, ferries, &c., and from the annual payments of the Canada company referred to in the preceding chapter.

In Lower Canada, the public revenue is derived from the crown duties levied under certain Imperial Acts; from local duties in many respects similar to those of Upper Canada, and like them levied under Provincial Acts; and thirdly, from the casual and territorial revenue.

This last fund, it will be remembered, was ceded to the provincial legislature in 1831, in accordance with the recommendation of the Canada committee of 1828; and thus another dangerous weapon was placed in the hands of the Anti-British faction, who lost but little time in resuming by its means, their former hostile attitude.

Of the fund conceded, the annual portion applicable to the purposes of a civil list, independent of any vote from the assembly, was estimated at £28,000; and the following appropriations from it appear to have been suggested, though I am not aware how far they were identical with those actually made:—

**CIVIL LIST.****159**

<b>Salary to the Governor .....</b>	<b>£4,500</b>
<b>Ditto to the Judges.....</b>	<b>10,000</b>
<b>Gaols and Maintenance of the Peace</b>	<b>5,000</b>
<b>Salaries of Executive Councillors ...</b>	<b>900</b>
<b>Salary of Civil Secretary.....</b>	<b>500</b>
<b>Contingencies of his Office.....</b>	<b>500</b>
<b>Attorney-General's Salary .....</b>	<b>300</b>
<b>Solicitor-General's Salary .....</b>	<b>200</b>
<b>Law Officers' Contingencies .....</b>	<b>1,800</b>
<b>Judges' Circuit Allowances.....</b>	<b>375</b>
<b>Pensions .....</b>	<b>550</b>
<b>Retired Allowances .....</b>	<b>112</b>
<b>Expenses of Managing Crown Lands and Revenue .....</b>	<b>2,400</b>
	<hr/>
	<b>£ 27,137</b>
	<hr/>

By the suspension of the constitution of Lower Canada consequent on the insurrection, the casual and territorial revenue of course reverted to the crown.

The strong objection which obtained to placing the crown revenue of Lower Canada, at the dis-

posal of the French Canadian Legislature, cannot be considered to exist in the case of vesting it, conjointly with the like revenue of Upper Canada, in the future legislature of both Provinces, under the measure of the union, assuming that union to be properly carried out; and it is to the interest of the Canadian people to secure the transfer, even at the price of a heavy civil list, in order that the whole revenue and expenditure of the country may be brought under their own management, as also under one system.

## CHAPTER IV.

**Canadian Banks and Banking.—Suspension of Specie payments.—Rural mode of Barter.—Anomalous state of the Provincial Currency.**

IN a former chapter on the affairs of Lower Canada, I took occasion, incidentally, to advert to the subject of the suspension of specie payments by the banks there, consequent on the general suspension which a great commercial crisis had just before necessitated throughout the United States.

I now proceed to offer a few remarks on this interesting topic, conjointly with other matters having reference to the Canadian banks in general.

Banking, as practically understood in Lower and in Upper Canada respectively, exhibits, by general assent, very striking shades of difference.



In the former, though susceptible of much improvement in matters of detail, it assimilates in a great degree with the system pursued in England, that is, it is essentially commercial in its character : in the latter, on the contrary, it is quite peculiar to itself.

The banks of Lower Canada are for the most part conducted as though they were intended to be a source of mutual advantage to the proprietors and the public ; while, on the contrary, those of Upper Canada may be said to be so conducted, as to render the advantage altogether one-sided, and to induce almost a belief that they were never intended for the public benefit.

It is of consequence to dwell on the proceedings of the banks of Upper Canada, as contradistinguished from those of similar institutions in the Lower Province, because to the first may fairly be ascribed much of the general pecuniary embarrassment under which Upper Canada has long been labouring.

When, in the early part of 1837, great com-

mercial difficulties, followed by a general suspension of specie payments, took place in the United States, it was foreseen by experienced men on both sides of the Atlantic, who really understood the bearings of the question, that the monied institutions of Canada must, *ex necessitate*, follow the example, if it were deemed a worthy object to preserve from utter prostration, the local commercial community, and consequently, the numerous classes whose prosperity was dependent upon theirs.

There were, however, these striking points of difference in the circumstances of the two countries: that in the United States, the previous bankruptcy of the merchants occasioned the bankruptcy of the banks; or rather that their mutual improvidence, arising from a spirit of enterprize far exceeding the utmost means to meet it, even by forced measures, had produced the insolvency of each other: whereas, in Canada, the measure of suspension was imperatively called for to save both the banks and the

merchants from the fate which had already overtaken their American contemporaries.

Furthermore, the step was not required to confer immunities from the consequences of past imprudence, but solely as an act of preservation against the effects of error elsewhere committed ; which effects could not be averted by any other means. In a word, it was as necessary to this end, as the shifting of the helm to insure a vessel's safety in the vicinity of a lee-shore, or the erection of a dyke to stay the progress of a fierce inundation.

To suppose that monetary or commercial transactions could go on smoothly in Canada when they were suffering extreme derangement in the United States, was something like supposing that the general bankruptcy of London would not exercise a controlling influence over the affairs of the whole civilized world. Nevertheless there were theorists in Upper Canada whose conclusions must have been deduced from some such arguments as these, to account

for the course of policy they advocated on this occasion.

The real question for the Canadian banks to consider was, whether they should suspend with their coffers full or empty : the first being a matter of choice and precaution, to preserve what they had : the second being one of compulsion and necessity, when there should no longer be any thing to protect. In the one case the banks saved the commercial community with advantage to themselves ; while in the latter they sacrificed it without deriving the least possible benefit whatever.

The point at issue was speedily decided in Lower Canada, by the banks consenting to suspend, in compliance with a requisition to that effect made to them by the community, though virtually, they incurred the forfeiture of their charters by so doing ; but as there was no legislature\* to control them, and the Government

\* The House of Assembly was fortunately, at this time, in a state of practical abeyance.

did not oppose itself to the general wish, they were enabled to act at once with decisive energy. In the Upper Province the apparent indifference of the banks to the interests of the community, or the control to which they were subjected, caused, unfortunately, an opposite course to be pursued, and thenceforth, all was confusion.

The position here assumed, cannot, perhaps, be better illustrated than by supposing that the banks of Lower Canada had refused to suspend, and by then applying, in a positive sense, such hypothetical argument to the case of Upper Canada, where no timely suspension took place.

The balance of trade being at the time, as it generally is, in favour of the United States, and also susceptible of increase by fictitious means, an immediate drain of specie for exportation would have been the consequence, and hence a sudden contraction of the circulation within narrow limits.

Though large in the aggregate, and amply

sufficient for all present purposes, had self-protection been the only object of the banks, the stock of specie in their vaults would have been quite inadequate to enable them to meet their circulation and afford coevally to the mercantile community, the usual extent of accommodation. To re-issue notes under such circumstances, even if a fresh supply of specie had been readily procurable, would have precisely resembled the operation of attempting to carry water in a sieve.

Nor was this all. The merchants being more largely indebted to the banks than were the banks to the community, could not have sustained themselves under the twofold pressure of the demands that the banks must have made upon them for the liquidation of their liabilities in specie, had they themselves been pressed, and the difficulty of finding means to carry on their transactions. Lastly, the stock of specie on hand, if once exhausted, *could* not have been replaced from the usual place of supply, New

York ; and thus, the banks, after being the instrument of the ruin of the mercantile community, *must* have suspended, sooner or later, from a positive want of means to pay on. The suspension, therefore, in lieu of being an indication of insolvency, was essentially the medium through which insolvency was to be averted.

When it is considered how closely interwoven are the commercial affairs of the two provinces, and that the trading community of Upper Canada was indebted to the Montreal and Quebec merchants, in the same proportion that these were indebted to their local banks, the consequences may readily be imagined, of two sets of banks acting upon entirely different principles ; or rather, of one set acting upon a right principle, and the other set upon no principle at all.

Rendered reckless by the manner in which their interests had been sacrificed, through the erroneous course of policy pursued by their monied institutions, the Upper Canadians became comparatively indifferent as to meeting their engage-

ments with their creditors, and saw, with scarcely an effort to prevent it (though none would have been successful), an immense amount of their paper returned dishonoured to Montreal.

To obviate this, in some measure, the bank of Montreal had liberally furnished to the banks of Upper Canada (whose issues were now very greatly contracted), a supply of its own notes, to be paid in fresh discounts in the latter province, so that they might subsequently come down again from thence as remittances; but all was unavailing effectually to alleviate the general pressure, or to allow the mercantile community of Upper Canada to retrieve its credit.

Though reeling beneath the heavy blow inflicted on them by the commercial bankruptcy of the Upper Province, resulting, as it must be manifest, far less from the positive insolvency of individuals, than from the erroneous policy of the local banks, the merchants of Lower Canada were nevertheless enabled, with but few exceptions, to sustain themselves by means of



the liberal support of their own monied institutions, and the straining of their credits upon England to their uttermost limits.

I must here qualify a previous observation, admitting by implication of the interpretation, that entire unanimity prevailed amongst the Lower Canada banks in their proceedings on this occasion. Such was not the case, though the exception was so trivial as to be scarcely worth recording, were it not that it may serve to illustrate a further object.

There was one bank, of recent establishment, which opposed itself to the general system, and made a merit of continuing to pay in specie; when the fact was, as every one knew, that the extent of its liabilities consisted in nothing more than the balances of a few personal accounts. It procured for itself an unenviable notoriety, and lost, during many months afterwards, all the benefits it might have acquired and conferred as a bank of issue, which it was seeking to become: moreover, in order to avoid the alternative of discontinuing its business altogether, it was even-

tually driven to the mortifying expedient of aiding to circulate the notes of the very institutions whose proceedings it had affected to stigmatize as fraudulent! More experienced and better conducted, those institutions laughed at its heroics, pitied its delusions, and benefitted by its folly; while the majority of its customers, shrewdly profiting by the opportunity senselessly afforded them, withdrew their little balances in specie, in order to sell such specie at the premium it commanded.

Comparing small things with great, we see in the false position in which this helpless bank stood placed by its own act towards its powerful local contemporaries, and towards the public at large, an exact type of the false position (in a financial sense) in which the feeble province of Upper Canada also stood placed by its own act towards not only the Lower Province, but towards the entire continent of North America.

The eminent individual\* then administering

\* Sir F. B. Head, Bart.

the government of Upper Canada, though clearly actuated on this as on all other occasions of his public notoriety by the most high-minded and patriotic sentiments, must be considered to have wholly lost sight of the very peculiar merits of the case under consideration, in the earnestness of his desire to offer such contrasts between monarchical and republican institutions as should be apparently humiliating to the latter.

The point contended for, that “the principle of monarchy was honour,”\* might very well have been conceded, without the banking institutions of the country being made the medium of illustrating the doctrine; and, even otherwise, it would have first been requisite that those institutions should have been what in effect they were not—state property—before the argument adduced could in any way be tenable in regard to them.

At any rate, judging by results, the axiom

\* Montesquieu—“*Esprit des Lois*.”

propounded would now be worth nothing, were the standard by which it was measured in the case of Upper Canada, as above exhibited, a correct one; since, in effect, the banks of Upper Canada, after struggling for a short time against the common interest and wish, were at last compelled, as all acquainted with such matters predicted that they would be, to solicit permission to suspend their payments in specie, from sheer inability to continue them. Their request was accordingly complied with, on certain conditions; but the remedy came too late to be of service to the community, and answered only the selfish purposes of the banks themselves.

In the summer of 1838, the necessity which had originated, and which justified the suspension of the Canadian banks, having ceased, by a general resumption of cash payments in the United States, the suspension itself also ceased in Lower Canada, where the banks voluntarily resumed their former mode of business.

Not so, however, in the Upper Province. The

banks there, having now tasted the sweets incident to their new position, became so enamoured of them, that they as pertinaciously resisted the general clamour to resume, as they had before resisted the general desire that they should suspend ! They therefore *again* stood in an entirely false position towards the sister province and the neighbouring States ; exhibiting themselves *this time* in the character of positive insolvents, when all around them were in a situation to meet their liabilities.

This persistence in a twofold error added greatly to the general perplexity ; inasmuch as the notes of the Upper, were not receivable in the Lower Province, unless at a rate of discount which alike forbade their being sent as remittances or taken in deposit.

Again, therefore, had the Lower Canada merchants to sustain the serious inconvenience of foregoing the present realization of their assets in the Upper Province, owing to the proceedings of its banks.

But though these institutions were enjoying the full immunities conferred by the measure of suspension, they did not a bit the more extend to the community at large any commensurate increase of accommodation. They temporarily enlarged their issues, it is true, in the purchase of provincial debentures and commissariat exchange; but the notes so put in circulation, when repaid to them in the way of business, were not reissued in the shape of discounts, to an extent at all corresponding with the legitimate demand.

They had an interest, apart from that of the community, in continuing the suspension after the justification of it had ceased; because it yet remained for them to realize large profits on exchange transactions, to be derived from the funds they had accumulated in London by the sale of the remittances referred to.

During the period of their suspension the banks of Lower Canada also realized large profits on exchange transactions, the drawing

rate of premium averaging at intervals for some consecutive weeks at least twenty per cent., or a fifth part; but in this case the pressure, though heavy, was less felt, because the facilities for meeting it were greater, while the practice was not attempted to be prolonged by any artificial means.

But in Upper Canada, long after the justification of the suspension had ceased, the amount of discounts afforded, was made in a great measure to dovetail with the demand for exchange or the desire of the banks to draw: if the demand were brisk, the price was run up, and discounts regulated accordingly; but the stream of continued accommodation imperatively required, so far from being allowed to flow into its proper channels, was checked or expanded by the most capricious motives. For a considerable period indeed, the bank of Upper Canada would not draw at all; but kept as it was said, a very considerable portion of its capital locked up at interest in London, thus positively subtracting it from the province where alone it

ought to have been employed. Subsequently, however, when a resumption was rendered unavoidable, this bank imported a large amount of British gold.

It may naturally be asked why, if there existed a Provincial Legislature, no interposition of its authority took place, to preserve the community from the effects of these most unnatural proceedings? The answer to such inquiry may readily be furnished. Considering the materials of which the legislative bodies of Upper Canada are composed; that the members of those bodies being for the most part, persons engaged in agricultural and commercial pursuits, who are more or less dependent on the banks; and further, that many among them are concerned in the management of those institutions, possessing in them large vested interests; but little surprise need be felt, at the perfect impunity with which the banks were enabled to carry on their pernicious system, in defiance alike of public opinion, common justice, and common sense.



Plausible pretexts were never wanting to insure the extension of the privilege of suspension from session to session, by means of the sympathies and influences to which allusion has been made.

The only instance in which this power can be considered to have been judiciously exercised, was on the occasion of the measure of suspension being again resorted to in the Lower Province, towards the end of 1838; not, however, from commercial, but from political causes, and as a powerful means of checking the designs of the insurgents in the second insurrection.

By mere accident, the banks of Upper Canada found themselves this time, in a right position; but their consistency was of short duration; since, four or five months afterwards, when all immediate danger had disappeared, they refused to resume simultaneously with the Lower Canada banks, and persisted in their old course of error, until November 1839, when their privilege having ceased, and there being no Legisla-

ture assembled to protect them, they were compelled, much against their inclination, to meet their engagements.

But the effects of their past conduct were not very easily to be remedied ; and Upper Canada will long suffer from them.

It is due to the other institutions to say, that the bank of Upper Canada was, according to public testimony, on all occasions, throughout this interesting period, the *main* obstacle to the adoption of a right course of proceeding ; and that the commercial bank of the Midland District evinced a far greater disposition to act in unison with the public wish, but could not attempt to do so singly.

Of course, the great advantages secured by a timely suspension of specie payments in Lower Canada, were not unattended by some minor drawbacks. Of these, the most conspicuous was the abuse of the practice resorted to by individuals of issuing, for the purpose of circulation as money, their own promissory notes for the frac-

tional parts of a dollar, varying in amount from 3d. to 2s. 6d. currency.

This practice which originated in a desire of some members of the mercantile community, to subserve the public convenience, degenerated in many cases into fraudulent acts; notes with forged or fictitious signatures being issued by worthless persons who passed them off as genuine on the unwary. A considerable profit, too, must have been realized by the issuers in general, as the paper whereof the notes were made soon became tattered, and their trifling value caused their preservation to be little heeded. Many of them were very tastefully executed.

I subjoin as curiosities in their way, specimens (in so far as the mere letter-press is concerned,) of two denominations which I chance to have by me, of the order of the *legitimate* "shin plasters"\* first mentioned.

\* The familiar appellation given to the notes in question.

15d.

BAS CANADA

QUARTER No. \_\_\_\_\_ B

*A Demande, pour*

*DOLLAR. valeur reçue, Je*

*promets payer au*

*porteur, en Billets*

*courants des BANQUES*

*de cette Ville TRENTÉ*

*sous en sommes*

*de pas moins d'une*

*Piastre. On demand for value received, I promise to*

*pay to BEARER in current BANK NOTES of this City, ONE*

*SHILLING and THREE-PENCE currency, in sums not less*

*than Five Shillings.*

*MONTREAL, 20th July 1837.*

Ent<sup>d</sup>. \_\_\_\_\_ (Device of a Beaver.) (Signature.)

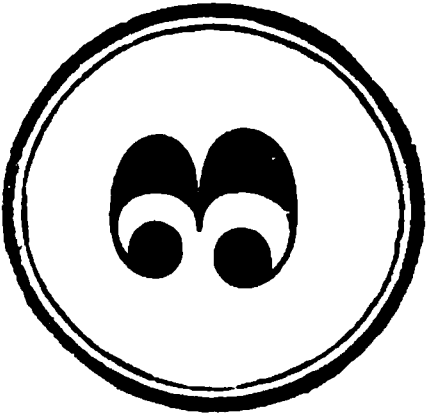
30 SOUS

( Device of a Cupid with flowers. )

( Device of a Cupid with flowers. )

30 SOUS

15d.

<b>SIX SOUS</b>	
<b>GOOD</b>	<b>FOR</b>
	
<b>Three</b>	<b>Pence.</b>
<b>BON POUR 6 SOUS.</b>	
<i>Montreal, 10 July 1837. 3d.</i>	
<i>(Signature.)</i>	
<b>CUVILLIER &amp; SONS</b>	

The voluntary suspension of specie payments by monied institutions can, of course, be as little advocated, in an abstract sense, as recourse to so extreme a measure can be held justifiable on every occasion when a state of temporary financial difficulty may seem to call for its adoption. But there are cases when it becomes not only a justifiable, but a prudent act; nor can such cases be more strongly exemplified than in the circumstances which led to the suspension of the Bank of England, towards the close of the last century, and in those which occasioned the twofold suspension of the Canadian banks in 1837 and 1838.

If a country be threatened with a drain of the precious metals from without, by the employment of unnatural means, it has a perfect right to place itself in a posture of defence; and, as a general rule of action, what the necessity requires, it justifies.

It has been shewn, that in Upper and in Lower Canada respectively, the suspension of

specie payments worked very differently; but the causes of this anomaly have also, as I trust, been satisfactorily explained, without the aid of further illustration.

As regards the ordinary transactions of banking in the two provinces, they may be briefly described. In both, as is generally the case where monopolies prevail, the profits are very large; the proprietors dividing among them, on the average, an annual dividend of eight per cent., with occasionally a considerable bonus.

The fixed rate of interest charged by the banks on all transactions is six per cent. per annum; but, with the exception of one lately instituted, they allow no interest on deposits of any kind; and those at the bank of Montreal alone are said to vary between £200,000 and £300,000, including the Government deposits and also the sheriffs' balance, but not mere drawing accounts. Protested bills of exchange on foreign countries bear ten per cent. damages; while, by an old French law, dishonoured bills

of the Lower Province on the Upper, bear four per cent. damages. During the great pressure on the Lower Canada merchants, consequent on the occurrences I have been describing, the banks liberally remitted, in most cases, the damages in question, or exacted only the half of what they had a right to claim.

The difference between the respective rates of exchange on London, in Canada, and New York, is generally the rate of drawing of the Canada banks on the latter city ; though this rule often admits of exceptions, according to the demand for exchange in either place. They generally draw on London at sixty, and on New York at ten days' sight.

New York being sometimes a better market for the sale of Canada exchange on London than Canada itself, such investments are often made there ; and, being drawn against, yield by the twofold operation a handsome profit, independent of bearing interest during the time they lie dormant. Bills payable in various parts of the



United States, are also sent to the New York agents for collection; the proceeds being drawn for, as in the former case.

The banks further procure from New York their usual supply of specie; but, in winter, there is frequently a difficulty attending its transmission. The whole cost of transport, when the specie is forwarded by contract, covering every risk save that of navigation, is about the half of one per cent.; but the banks more frequently content themselves with sending a trusty messenger to fetch it, at their own risk, and the cost is then much less.

Formerly, it was the custom of some of the Canadian banks to redeem their notes in New York, by means of their agents there, but they no longer do so.

In round numbers, the present aggregate banking capital of the two provinces may be estimated at about a million and a half sterling; whereof, about two-thirds belong to Lower Canada. About a fourth part of the stock of the

City Bank of Montreal is, or at least was, owned by persons resident in the United States.

Of the aggregate amount of notes in circulation in the two provinces, I have no means of judging with any degree of accuracy ; but the aggregate amount of capital will furnish some criterion whereby its probable proportion may be estimated.

The Bank of Montreal is, by common assent, the best conducted institution of its kind on the whole North American Continent, and enjoys, in many respects deservedly, a high degree of popularity.

I know not if it be the case with this establishment, but many of the Canadian, like the New York banks, have the reputation of frequently increasing their profits by selling exchange for credit ; taking a higher rate of premium than would be required for cash, and charging interest on the paper received in payment in addition to the usual discount.

With respect to discounts generally, there is

this difference in the mode of proceeding practised in the two provinces,—that in Lower Canada, a man is drilled to a habit of punctuality in meeting his engagements, from which he cannot swerve, if he wish to preserve his credit : whereas, in Upper Canada, such is the prevailing laxity, that few consider it a duty to provide for their liabilities at maturity, and think but little of their paper remaining overdue in the banks until they are sued for the recovery of it ; when, in nine cases out of ten, they effect a compromise.

Under scarcely any circumstances, does an Upper Canadian think of retiring when due, by payment of the *full amount*, the note or bill, which, having been discounted, is held against him by the bank.\* The most that is to be obtained from him is a third or fourth part with a renewal for the remainder ; by which means he procures a fresh lease ; and he is sometimes un-

\* The Canadian banks do not circulate the paper which they discount.

conscionable enough, at the expiration thereof, to demand a repetition of the process, even for a very trivial sum.

The banks are themselves much to blame for the prevalence of this miserable system ; but having tolerated it in the first instance, they have lost the means of checking it, unless by obnoxious measures.

Its evil consequences are obvious : it not only induces the general want of punctuality aforesaid, on the part of the community, but it confines bank accommodation to the same circle during one-half or two-thirds of the year, thereby preventing others from receiving assistance in their turn ; and leads, moreover, to a very baneful system of favouritism.

The case is very different in Lower Canada : a bank debtor is afforded every reasonable facility to meet his engagements ; but failing to meet them so as to cause his credit to be impaired, he forfeits his former advantages.

One very profitable branch of banking busi-

ness peculiar to Upper Canada, is that of cashing letters of credit on the Lower Province.

The merchants of the latter, who effect large purchases of Upper Canada produce, such as lumber, flour, &c., are accustomed to make advances, bearing interest, to those with whom they deal, on account of prospective consignments, in the same manner as is usual with British and New York merchants in regard to the cotton and tobacco growers of the Southern States.

A letter of credit for a given sum, in favour of a particular individual, is lodged at one of the local banks, and drawn against in such sums as may be agreed upon, the drafts being generally at ninety days' date, and payable at Montreal. By this process the bank obtains the usual rate of discount, the half of one per cent. for agency, and is enabled, by remitting the drafts for collection in Montreal, to draw against the same, on the strength of its credit there, at a further profit of a quarter or sometimes half per cent. The only off-set against this lucrative

combination is, that the bank pays to its correspondent a quarter of one per cent. for agency, and also interest if its account be overdrawn, beyond a stipulated limit.

Now; what between the bank and the Lower Canada merchant, the Upper Canada producer labours under very great disadvantages; but in order to raise money, he is compelled to accept it on the conditions mentioned, or deprive himself of a ready market for his commodities.

Were capital more abundant around him, so that he might obtain it with facility on the security of his sterling means, his position would be very greatly ameliorated: inasmuch as he could secure to himself the full fruits of his industry, and cease to be dependent upon others.

In various parts of Upper Canada, remote from the neighbourhood of towns, a curious primitive sort of trade is carried on by the inhabitants among themselves, with scarcely the intervention of money except as it serves as a stand-

ard for regulating the relative value of the commodities which they have to barter.

For instance, one man has a superfluous yoke of oxen which he wishes to turn to account; while another wishes to obtain them, but has not by him such articles as the first will be likely to accept in exchange.

The alternatives of each party would consequently lie in dispensing with the coveted object altogether or purchasing it with cash, and the last could not be done without incurring sacrifices to which neither would be willing to submit.

But the barter system soon overcomes the difficulty. The bidder for the oxen goes to a third party, and procures from him, through the medium of a mutual interchange of commodities, advantageous to both, such articles as he knows the owner of the cattle will accept; and thus, by a very simple process, three individuals become accommodated each with what he wants.

The system admits of great variety, and prac-

tically, some of its ramifications are very complex, requiring almost as much forethought, tact, and ready calculation, as abstruse operations of exchange.

The nicest distinctions are made between what are termed cash articles—that is, articles commanding cash if taken to market; and articles less readily convertible. The first obtain, of course, the better prices; and in the barter, the difference of value when not made up in quantity, is settled by an equivalent in money; a further allowance being made in this case for the relative value which money bears.

Cash, though rendered by this process a mere commodity, is nevertheless, from its higher value, of the same advantage to its possessor, if he manage it judiciously, as the holding (to use a homely simile) of a governing card at the game of whist.

In newly-settled districts, a person owning land, who employs labourers upon it, can, if he possess sufficient capital (and but little is re-



quired) to maintain a miscellaneous store, repay in kind all the value he receives in labour, with scarcely the disbursement of a single dollar to his workmen; while, moreover, he possesses the advantage of realizing the usual profit on retailing goods purchased at wholesale prices; and which, in most cases, will have been paid for by bills at lengthened dates.

Thus, the same individual may combine the occupations of an agriculturalist, a miller, a merchant, a retail trader, and a money-broker, with great advantage both to himself and others, in places where bank accommodation is not readily to be procured.

It is apparent that such a traffic as the one described is peculiar to a new country, and that the system, necessarily circumscribed, must give way in proportion as capital and population increase.

In farm-labour, the resident proprietors who have no store, generally prefer employing single, to married men, because they can lodge them in their dwelling, and board them on the produce

of their farm, with the payment only of a small additional equivalent in money : whereas, married men require to be remunerated almost entirely in money ; and this, for the reasons stated, the farmer has frequently the utmost difficulty in procuring at the moment when he needs it, without making undue sacrifices, either on the spot or at a distance.'

The evil is, that by the practice mentioned, a sort of ban is placed on marriage, the farmers virtually resolving themselves, however unintentionally, into disciples of Malthus ; while, in point of fact, Canada, and particularly Upper Canada, is about the last country in the world to which even the great anti-population theorist himself would have wished to see his restrictive doctrines applied.

Having treated on Canadian banking, it may not be irrelevant to that subject, if in the same chapter, I offer a few remarks on the state of the Provincial currency, than which, by general assent, few things can be more anomalous.

Every traveller in the Canadian provinces must be struck with the wretched state of the metallic currency; nor does it appear from all accounts that in Nova Scotia and New Brunswick, or, as they are more generally termed, the Lower Ports, the state of the case is much, if it be at all, better than in Canada.

It was, I believe, in the course of 1825, that the present British coinage of crowns, half-crowns, shillings, and sixpences was introduced into Canada, through the medium of the commissariat, at which time also, the rate of army pay appears to have been fixed at its present value of 4s. 4d.\* to the Spanish dollar, in lieu of 4s. 8d. as theretofore.

It would seem, however, that such coinage did not obtain an immediate circulation to any extent, owing to the low rates, as compared with the current rates of drawing, at which, from some peculiarity in the Treasury arrangements,

\* In virtue of an Order in Council, dated 23rd March 1835.

commissariat exchange was to be purchased, and which held out inducements to speculators to collect the silver as soon as it was issued, for the purpose of investing it in such negotiable securities.

Soon afterwards, the provincial legislature passed an act for giving a higher value to the coins in question, so as if possible to keep them in the country ; but, according to all accounts, they formed, even then, a cheaper remittance to England or New York than drafts, at the then average rate of exchange.

On reference to the act in question, it is seen that the current value assigned to the British silver mentioned, was as under :—

		Value in sterling.		Value in currency at par.		Assigned value in currency.	
		s.	d.	s.	d.	s.	d.
Crown piece	...	5	0	...	5 6	...	5 9
Half-crown	...	2	6	...	2 9	...	2 10½
Shilling	...	1	0	...	1 1	...	1 2
Sixpence	...	0	6	...	0 6½	...	0 7

In 1836, a further legislative enactment raised the current value of the British sovereign from £1. 2s. 2½d. to £1. 4s. 4d.—while the silver coins above specified, were also made, by the same act, a legal tender, at still higher rates than those previously fixed ; the following being now their current value :—

				In currency.	
				s.	d.
Crown piece	...	...	...	6	0
Half-crown	...	...	...	3	0
Shilling ...	...	...	...	1	3
Sixpence	...	...	...	0	7½

From this, it will be seen, that while the shilling and the sixpence bear an advance of 12½ per cent. above par, a greater proportional value has been assigned to them than to the two first denominations of coin, and that consequently they now exceed their legitimate relations as the fifth and tenth of a crown respectively, by a difference of about 4½ per cent.

Strangers in Canada are frequently much

puzzled by this discrepancy. The holder of a crown or of a half-crown piece is much surprised when he finds that he can get less in return for either of those coins than he can for their virtual equivalents in single shillings or sixpences, and the poor immigrant, in particular, is sadly bewildered at a mode of computation so novel to him.

The only satisfactory explanation that can be afforded in relation to the matter, is the fact of the dollar of the United States, (both that and the Spanish-American dollar bearing a legalized value of five shillings currency,) in lieu of the British crown, being made the integer of comparison, the shilling and the sixpence, representing, at their augmented rate, the fractional parts of the former, correspondingly with the Spanish quarters, and their halves, or eighths of a dollar. In respect of intrinsic value, the British shilling and sixpence are much inferior to the Spanish-American pieces.

The Act last referred to, as having been

passed by the provincial legislature, appears to have been rendered necessary (owing to a generally faulty system) as a defensive measure, in consequence of a previous Act of the United States' Congress rendering *gold* the standard of the currency of the Union, and considerably raising the current value of that metal. For instance, the value of the old eagle of ten dollars was augmented to the extent of sixty-seven cents; and that of the sovereign, fixed at four dollars, eighty-seven and a half cents, in lieu of four dollars forty-four cents, as formerly.

Of course, but little gold could be expected to remain in Canada in the face of this stroke of policy, unless its effect as regarded that country could be counteracted by local means; and a partially successful remedy appears to have been hit upon by the Canadian legislature in the manner already mentioned.

This Act, however, will expire in the course of the present year; and its renewal, or some efficient substitute for it, would seem to be of

urgent necessity, so long as the general improvement of the metallic currency be uncared for.

Towards the end of last year, the legal value of sovereigns was inadequate to insure their remaining in the country; and the bank of Upper Canada, which had imported (as I have elsewhere intimated) a large quantity of such coin, would not issue it under a premium equivalent to the rate of drawing on New York, which averaged at that time from two-and-a-half to three per cent.

According to a statute\* of the British Parliament, the following rates were fixed as those at which coins should pass current and be a legal tender in Lower Canada:

GOLD COINS.			Currency.		
British guinea	...	...	£1	3	4
Johannes of Portugal	...	...	4	0	0
Moidore of ditto	...	...	1	10	0
Milled Spanish doubloon	...	...	3	14	6

\* 48 Geo, III. c. 8. s. 1.



				Currency.
French Louis d'or, before 1793	...	£1	2	8
French pistole, before 1793	...	0	18	3
American eagle	...	...	2	10 0

## SILVER COINS.

British crown	...	...	...	0	5	6
British shilling	...	...	...	0	1	1
Spanish milled dollar	...	...	...	0	5	0
Spanish pistareen	...	...	...	0	1	0
French crown, before 1793	...	...	...	0	5	6
French piece of 4 livres 10 sols, Tour-						
nois	...	...	...	...	0	4 2
French ditto of 36 sols	...	...	...	0	1	8
French ditto of 24 sols	...	...	...	0	1	1
American dollar	...	...	...	0	5	0

Of the coins enumerated in the foregoing category, the *écu* of six livres *tournois*, or old French crown, passes current at an advance of about two per cent. above its intrinsic value and its current value in the States; while the depreciation of the half-crown, forming the chief

circulating medium of the province, is somewhere about nine per cent.

Various means have been from time to time suggested by individuals or public bodies in the different colonies, for regulating the currency of each, but no uniformity of opinion appears to prevail amongst the different parties; and the only way of effecting a satisfactory adjustment of the difficulty would seem to be in the British Parliament practically assuming a similar power to that exercised by the Federal Government of the United States, in virtue of its constitutional authority, in order to establish in all the North American provinces indiscriminately, a system of currency which should substitute a general assimilation in the room of all existing inequalities.

The point on which all parties appear to be alike at issue, has reference to the rates at which under any improved system, the coins put into circulation shall pass current, and be considered a legal tender. Some contend that

the sovereign alone should constitute a legal tender ; others are in favour of British gold and silver being conjointly made so, at their nominal value, without reference to amount. Others, again, advocate the addition to this last proposition, of foreign gold and silver ; while others warmly advocate a purely provincial currency. Lastly, it has been suggested that “ Halifax currency ” should be superseded as the money of account, by “ British sterling,” or by “ Dollars and cents,” as in the United States.

All these schemes appear to be more or less open to objection ; and it is difficult to hazard an opinion as to whether any one of them possess a pre-eminence over the other.

If the sovereign alone were constituted a legal tender, or were associated as such with British silver, it would seem equally liable to be driven out of circulation, since in the one case it would require the protection of a *fixed* rate of exchange to prevent its export ; and in the next, would find it difficult, if not impossible, to

sustain a local competition with an associate whose relative intrinsic value is nine or ten per cent. inferior to its own.

Besides, while British silver is a legal tender in England only to a very limited extent, it would be somewhat inconsistent to place it on a more advantageous footing in one of England's dependencies.

As regards mere simplification, the assimilation of the money of account of the British provinces with the decimal system of the United States, would unquestionably be a very desirable measure, abstractedly considered; but there are many reasons which would render its adoption inexpedient, particularly under existing circumstances.

Admirable as it is, the decimal system in the United States is continually found conflicting in domestic transactions with the old method of computation, and the stranger is bothered to death by the different modes in use as to the fractional divisions of the dollar; the same, in

one place, being estimated at six shillings, in another at seven shillings and sixpence, and in a third at eight shillings. The last, being a duplication of the legal division, though very anomalous, is nevertheless the least objectionable.

To conclude. It should seem evident that whatsoever amelioration of the state of the metallic currency in Canada may be attempted, such measure, to prove effectual, must be regulated by the monetary standard of the United States, rather than by that of England.

The great evil has hitherto consisted and consists, in the fact of the generality of the coins current on the American continent at large, having different values assigned to them in the different sectional divisions of the British possessions.

So long as the various local legislatures possess the power individually of controlling the operations of their currency, so long must conflicting interests, in such respects, be expected to subsist betwixt themselves, and also between

them and the United States. Want of uniformity being the bane, assimilation must become the antidote.

To all denominations of coin, receivable in the Colonies, the same current value requires to be assigned, and this should obviously be regulated as much by the current value of such coins in the United States as by their own intrinsic value. What, also, was considered a legal tender in one province should be considered a legal tender in all, in order that exchanges amongst them might, as much as possible, be equalized.

As the case now stands between Upper and Lower Canada, for instance, the first will not receive of the last the denominations of the silver coinage chiefly current there, nor will the latter receive of the former, British silver, unless at rates below its current price in the Upper Province.

Thus each, as opposed to the other, has its separate interests, and whensoever, as is fre-

quently the case, these are brought into collision, the more paramount interests of the respective communities are sure to suffer.

Upon all general principles, a depreciated currency would seem alone calculated to induce a rise of prices and of exchange; the last to the profits of the banks alone, who have thus a sort of vested interest in the maintenance of the incongruity; while, in a word, the effectual remedy for the admitted evil, would clearly lie in the adoption of such measures as should cause the general currency to *find its level* by natural means.

The gold coin in circulation in the United States is almost entirely confined to the national coinage of that metal. Sovereigns do not generally command more than four dollars eighty-four or eighty-five cents, though their full legal value is nearly two cents more, while the French twenty-franc-piece passes at three dollars eighty-five cents, or nearly one cent below its legal value.

Spanish and Mexican dollars, with the smaller

pieces forming their fractions, are almost as common in the circulation as the United States silver itself (*i. e.* in specie paying times), and the British crown as also the French five franc-piece are often met with; the value of the former being fixed at one dollar nine cents, and the latter at ninety-three cents and a fraction, which, however, is not recognized in domestic dealings.

The gold coins of Great Britain, Portugal, Brazil, France, and Spain, are a legal tender by weight, at rates fixed by law; while most of the silver coins above enumerated are also a legal tender, in common with the American dollar, at their respective rates, as mentioned.

To the argument adduced by many persons in Canada, that a depreciated local currency is requisite to protect the commercial interests of that country, no better reply can perhaps be offered than the remark of Adam Smith, who says of a former British colony:—"The state of Pennsylvania raised the denomination of its



coin, on the pretence of preventing the exportation of gold and silver, by making equal quantities of those metals pass for greater sums in the colony than they did in the mother-country. It was found, however, that the price of all goods from the mother-country rose exactly in proportion as they raised the denomination of the coin, so that the gold and silver were exported as fast as ever."

It should, at least, seem obvious that if the balance of trade be against Canada in one quarter, it must, in the long run, be in its favour in another, for otherwise the commercial transactions of the country must come to a stand still; while, under any circumstances, a depreciated currency would seem ill calculated to facilitate the means of liquidating a specie balance.

For purposes not of a commercial nature, but for mere domestic use, a slightly deteriorated silver currency, might possibly be advantageously introduced into the country from England; while, at any rate, the introduction of a good

copper coinage is imperatively called for to replace the mis-shapen unstamped pieces of base metal that pass current as halfpence.

The bank of Montreal has lately imported a copper coinage of this kind for circulation in the Lower Province, and the banks of Upper Canada, it is but justice to observe, have also shown themselves solicitous to imitate the example for the benefit of that province; but towards the end of last year, the Home Government rejected their application for permission to have the supply they needed fabricated at the British Mint, and the matter, I believe, remains in abeyance.

The union of the Canadas must very much aid in removing the obstacles heretofore in the way of improving the provincial currency; and this being the case, it is much to be hoped that the opportunity may be profitted by at an early period.

## CHAPTER V.

Condition and Statistics of the Indians.—Settlement on Manitoulin Island.—Specimens of Modern Indian Eloquence.—Indian Notions of Justice.—Indian Prophet Chief.—Indian Diving Boys.—List of Indian Names, with their English signification.

THE condition of the Indian, the aborigine of the North American continent, must excite the sympathy and compassion of every benevolent breast. How much soever his displacement may have been necessary to the ends of civilization, the Indian is not the less despoiled of his heritage, nor less an outcast in the land of his ancestors; while the loss of his former lordly independence is but ill compensated by the meagre attention that has been paid to the improvement of his moral culture and social condition.

That the Indian mind is amply susceptible of profitable cultivation, if the proper means be taken, no doubt can reasonably be entertained; and as it is only through such culture, that the habits of the Indian can be so ameliorated as to conduce to his future happiness and welfare, by admitting of his assuming a position of perfect equality in the midst of the community whereof he forms a part, it is imperatively incumbent on the government which has the management of his few remaining effects, to undertake vigorously the task of his moral discipline.

It appears to be generally admitted that the distinctive traits of nationality of the North American Indian are doomed to be gradually obliterated by one of two processes—civilization or decay; and this being the case, the real well-wisher to the future Indian generation, in lieu of seeking to prolong the hopeless struggle of gradual retirement, which must at last have a limit, would advocate as much from humanity as from justice, the systematic employment of the milder

alternative, comprised in progressive adaptation and amalgamation.

To be thoroughly happy in this new stage of his existence, the Indian must be thoroughly civilized, in order that he may be left no lingering regrets. His partial civilization only serves to vitiate him, or at best to neutralize those good qualities of his nature that would have served in his pristine state to give him eminence and distinction.

At present he is in a sort of helpless tutelage, and, to an extent, must so continue until education shall have qualified him to place greater reliance on himself.

Prepared by such means for the rational enjoyment of his social rights, he might subsequently, be left to mix indiscriminately with his fellow-men, and to assume the administration of his own affairs.

The peculiar tenure of the Indian lands, now possessed in common, might then be superseded, and the Indian placed in all respects, as regards

freehold privileges, and the enjoyment of all civil rights, upon a footing of perfect equality with the members of the great family into which it is desirable, for his own sake, that his race should merge.

The half-breeds, or *bois brulés* as they are termed, have, generally, the reputation of being a very intelligent race of people, and are said to combine, in a singular degree, the very highest qualities of the two different races from which they are descended.

Several individuals of this caste hold, as I have heard, prominent positions in the province; one of them being, I believe, a superintendent of Indian affairs, another a practising physician, and a third, combining the office of a district clerk of the peace with the command of a militia regiment; while others are employed as preachers, schoolmasters, and interpreters, among the tribes.

Throughout the troubles which have marked the history of Canada since the winter of 1837, the Indians, with few exceptions, have proved

themselves to be true and loyal subjects of the British Crown, and have uniformly withstood the numerous attempts to tamper with their allegiance that have notoriously been made.

Their loyalty and courage were, in particular, conspicuously manifested at the commencement of the second insurrection in Lower Canada, when, as most persons will remember, a few Indians of Caughnawaga captured, and conveyed as prisoners to Montreal, a large party of French Canadian rebels, who had made an attack upon their village while they were congregated in their place of religious worship.

Besides this, many other instances of their readily coming forward in those times of danger might readily be adduced; and the case of the old Indian, mentioned in the fifth chapter, will suffice for one of them.

It has been made a matter of complaint by persons in England, unacquainted with the peculiarity of local circumstances, that the Indians in Canada should be employed in a military capacity. But why should they not be so employed?

Their mode of warfare is no longer of the savage nature that it was, and, practically, they are as much susceptible of discipline as a militia force.

Moreover, they have an interest in defending the country, fully equal to, if not indeed surpassing, that of other classes of the community ; since they see, in the cruel treatment of their brethren by the Americans, the fate in store for themselves, should they fall under the dominion of the same masters.

Low, therefore, as may be the standard of their present moral condition under British sway, it would fall still lower by the transfer, while their physical comfort would be utterly destroyed.

Sound policy would also dictate their employment as auxiliaries to a military force, in case of emergency ; since their *amour-propre* would be deeply wounded by the invidious doubts which their exclusion from military service must imply ; and, how loyal soever they might be, it would be unsafe to leave them, in the midst of



warfare, in a state of inactivity while labouring under irritated feelings.

We need apprehend no desire on the part of any of the Indians, save the very wildest tribes, to act cruelly towards their prisoners, as in former times; nor anticipate the repetition of the scornful reply said to have been once made by a Huron chief to the commander of a body of his French allies, when asked to give up his prisoners:—"If you want them, you had better take them; I know how to obtain others; and should I die in the attempt, the people of my village will say that it was Ononthio\* who killed me."

In 1837, a very able and elaborate report on the state of the Indians dwelling in Lower Canada, as also on their affairs generally, was made to the Earl of Gosford, by a committee which had been appointed to investigate those subjects. The report contained many valuable

\* This appellation, meaning, I believe, Great Mountain, was the title generally given to the representative of the French King in Canada.

suggestions for improving the condition of those Indians; but memory alone, which is all that I have to rely upon in relation to them, does not enable me to advert to them in more especial terms. The condition of the few remaining Indians of the once-powerful tribe of the Algonquins, who chiefly inhabited the country below Quebec, and also parts of the country between that city and Montreal, was, if I remember rightly, represented by the committee to be most lamentable. They were said to possess scarcely any fixed means of subsistence, and to be almost entirely dependent upon eleemosynary aid for their support.

The amelioration of the condition of these poor people was advocated by the committee with much warmth and feeling.

From a schedule attached to the report referred to, it appears that the number and the designation of the Indian tribes dwelling within the precincts of Lower Canada about the period in question, were in accordance with the subjoined statement :

TRIBES.	Men.	Women.	Children under 14 years of age.	Total.
Iroquois of Sault St. Louis .....	268	283	381	932
Ditto St. Regis .....	105	109	167	381
Abenakis of St. Francis .....	98	111	221	430
Ditto at Three Rivers .....	35	44	40	119
Algonquins .....	87	94	117	298
Nepissingues .....	79	95	90	264
Iroquois of the Lake of the Two Mountains	86	101	113	300
Hurons of Lorette .....	63	78	78	219
Algonquins of the District of Three Rivers..	22	28	21	71
Tête de Boule Indians.....	9	6	13	28
Amalacites of the Settlement of Rivière Verte	35	33	37	105
Micmacs of Ristigouche and Gaspè .....	138	143	149	430
Wandering Amalacites, Micmacs, and others	33	33	32	98
Totals	1,058	1,158	1,459	3,675

According to the same schedule, the following are the fixed means of subsistence of which certain of the tribes in question were possessed:

TRIBES.	Extent of Land owned.	Where situated.	Proportion under Cultivation.	Estimated Revenue.
	ACRES.		ACRES.	
Iroquois of Sault St. Louis . . . .	40,000	Sault St. Louis . . . . .	2,230	£750 to 800
Ditto St. Regis . . . . .	50,000	St. Regis Reservation . .	360	350
Abenakis of St. Francis . . . . .	{ 12,000	On River St. Francis }	250	60
Abenakis at Three Rivers . . . .	{ 8,900	Township of Durham }		
Algonquins, Nepissingues, and	.....	.....	50	70 to 75
Iroquois of the Lake of the		{ Seigneurie of the Lake		
Two Mountains . . . . .	260	{ of the Two Mountains		
Hurons of Lorette . . . . .	1,640	Lorette and Seigneurie of St. Gabriel . .	40	80
Amalacites of the Settlement				
of Rivière Verte . . . . .	3,000	Rivière Verte . . . . .	70	

From what precedes, it would appear that very little more than two and a half per cent. of the whole extent of the land owned is under cultivation.

The following statement, compiled from the official returns of the Indian Department, shews the number of Indians dwelling within the limits of Upper Canada :

Chippewas of Michipicoton, Lake Superior	57
—— Sault St <sup>e</sup> . Marie, Lake Huron	99
—— St. Joseph's, — ...	90
—— Manitoulin Island, — ...	188
—— the country between Mani- toulin Island and Penetan- guishine ... ..	202
—— Lake Nepissingue ... ..	59
—— La Cloche and Mississau- geeng ... ..	225
—— the Upper St. Clair ...	312
—— the St. Clair Rapids ...	401
—— Chenal Ecarté ... ..	194
—— Rivière aux Sables ...	217

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Pottawotamies and Chippewas of Sau- geeng, Lake Huron ... ..	370
Hurons, Chippewas, Shawnees, and Mun- sees of Amherstburgh and Malden ...	214
Delawares, Chippewas, and Munsees of the River Thames (Western District) ...	762
Ottawas of Manitoulin Island ... ..	80
Upper Moravian Delawares ... ..	300
Six Nations of the Grand River ... ..	2,210
Mississaugas of the River Credit ...	240
Yellow Heads of Coldwater and the Nar- rows ... ..	426
Indians of Rice Lake, Mud Lake, Aln- wick, &c. ... ..	508
Mohawks of the Bay of Quinté ... ..	336
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Total ...	7,490
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The visiting Indians, or those who come to receive presents, are computed to be from 3,000 to 4,000 in number; but at the last distribution in 1839, it was intimated to them that such presents would thenceforward be discontinued,

though the recipients were informed, that they, or any of their brethren, who might be desirous to locate themselves upon Manitoulin Island, would not only be allowed to do so, but afforded every facility to enable them to become settlers.

Just before my departure from Toronto, I heard that many Indians, profiting by this invitation, had migrated into Canada from the United States, and one body of them, amounting, if I remember rightly, to about fifty persons, was said to have brought with them, amongst other property, several good horses.

According to further official statements, the following are the annuities payable to Indian tribes in Upper Canada, in return for lands ceded by them to the Crown, or secured for their benefit by deeds of surrender, or provincial agreement;—

	Currency.
Mohawks of the Bay of Quinté ...	£450 0 0
Mississaugas ————— ...	642 10 0

	Currency.		
Mississaugas of the River Credit	522	10	0
Chippewas of the River Thames ...	600	0	0
Chippewas of Chenal, Ecarté, and St. Clair ... ..	1,100	0	0
Chippewas of Lakes Huron and Simcoe ... ..	1,200	0	0
Chippewas of the Rice and Mud Lakes ... ..	740	0	0
Moravian Indians of the River Thames ... ..	150	0	0
	<hr/>		
	£5,405	0	0
	<hr/>		

The aggregate of land actually ceded by the Indians, amounts, I believe, to about five millions of acres. The Six Nations Indians (constituting the remains of the once powerful tribe of the Iroquois) are shewn by the table to be the preponderating number, and upon the whole, they also, are in far better circumstances than any of the rest.



Nevertheless, a large amount of their property has been injudiciously locked up in the unprofitable stock of the Grand River Navigation Company, by which means they have been deprived, much to their dissatisfaction, of the use both of principal and interest.

A negociation was on foot, some months since, for purchasing this property of them, together with a portion of their land; but I have not heard whether it was brought to a satisfactory conclusion.

The project of forming an exclusive Indian settlement on the Great Manitoulin Island, appears to have originated with the present Lord Seaton about 1835, and to have been warmly patronized by Sir Francis Head, soon after his assumption of the government in the year following.

So far from being, as some have supposed, the assigned future abode of the whole of the Indians in the province, or intended to operate, in any way, the displacement of those tribes

already domiciliated within the surveyed districts, the Manitoulin Islands have been appropriated to the use of those scattered Indians, who possessed neither a fixed place of residence, nor fixed means of subsistence, together with such other Indians from the United States, as might wish to place themselves under British protection; and it is of these two classes that the present population of the Great Manitoulin Island is composed.

According to every account, this island is admirably adapted to the purpose for which it has been selected, being of great extent, having a luxuriant soil, and possessing a very abundant supply of timber of the most valued kinds.

The surrounding waters are said to teem with fish (white fish, as it is termed) of the finest quality; and have long been resorted to at certain seasons, for the supplies they yield, not only by the Indian tribes themselves, but also by settlers from the vicinity of Penetanguishine.

Many of the Indian tribes are great cultivators of the maple sugar, and have frequently a surplus for sale beyond what they require for their own consumption.

On the occasion of the annual distribution of presents to the Indians, at the Great Manitoulin Islands, it is customary for the chiefs or representatives of the different tribes assembled to address the chief superintendent, or presiding officer, in a speech, making known to him their wishes in regard to any particular matters that it may be thought expedient to bring under his notice, and reviewing generally all circumstances of leading interest, having reference to the welfare or condition of the tribes, that have transpired since the period of the superintendent's last visit.

These opportunities for indulging in free discussion, naturally afford facilities for the development of the Indian character, and are said very often to give rise to rich displays of oratory.

The following extracts from the speeches de-

livered by the Indian chiefs last year, as reported by the Indian department, will serve as illustrations of the peculiar eloquence referred to.

The first extract is from the speech of the chief Shinguaconse, and has reference to an implied breach of faith on the part of the government, in regard to the building of some houses for the use of the orator's tribe. It exhibits the happy blending of much shrewdness and address in a very small compass :—

“ Father,” says the chief, “ I have looked for them (the houses) in vain ; but possibly I am old and blind, and cannot see them, though, perhaps, *you* will, when you reach the Sault St<sup>e</sup>. Marie.”

The next, from the speech of the chief Bama-koneshkam, is full of pathos :—

“ I ask you for the island of Wā-sa-coussing, to assemble upon it my scattered tribe. Our fires are far apart, and burn darksome and low : when we are all together, it (our common fire) will throw out a brilliant light.”

The third, from the speech of the chief Monkomanish, is both complimentary and appealing :

“ You are strong,” he observes, “ your arms encircle the world : take, then, the Indian to your bosom, and strain him in your embrace.”

The fourth, from the speech of the chief Manitōgābaouit, is poetical to the last degree :

“ With this white feather cleanse your ears, that my words may readily reach you ; with this fair water lave your eyes, that you may see him who addresses you.”

The fifth, from the speech of the chief Begishiqueshkam, is replete with rich imagination :—

“ The deep darkness of woe which has surrounded us so long, is gradually breaking. The sun, which we thought had set to 'us for ever, I have lately seen striving to ascend in its course : it has reached the tops of the trees : it has increased in brilliancy ; the clouds are gone, and now it breaks upon us in the brightness of noon day.”

The sixth and last, from the speech of the same chief, presents a pleasing allegory :

“ A bird whispered to me that he was near the comforter of our misfortunes ; that he was near him who would re-establish us in the possession of our lands. Father ! the bird has told true.”

The highly figurative language contained in most of the foregoing speeches is so strongly marked with an Oriental character, as to warrant almost a belief that they emanate from a purely Oriental source ; and induces an involuntary, howsoever futile, train of reasoning regarding the nature of the remote antiquity of the race of men who first trod the soil of the great continent of North America.

I have been induced to place in the Appendix, a curious and interesting document,\* as being not

\* This document was given to me by a gentleman at Toronto, to whom I gladly avail myself of the present opportunity of publicly returning my acknowledgments. He informed me that he did not think it had ever before

altogether irrelevant to the present subject-matter of consideration.

It is an harangue said to have been delivered to an assemblage of the Indian tribes, by Nay-may-goos (signifying a trout), an Indian patriarch, towards the very early part of the present century.

Nay-may-goos, who was the contemporary of the celebrated Tecumseh, was apparently, as much the recognised prophet of the great body of the Northern, and North-Western Indians, as Tecumseh was, in effect their great warrior-chief; and, like the latter, he seems to have been animated by the noble, but futile desire, of forming a nation out of the scattered remnants of his race, by collecting them into one great family, and restricting their intercourse with the whites.

I am not familiar with the English signification of the names of the chiefs of whose speeches appeared in print; but even otherwise, it must be so little known in England, as to stand in need of no apology for its resuscitation in this Miscellany.

specimens have been here recorded ; but in general the designations of the Indian chiefs are, I believe, identified, in youth, or manhood, with their most prominent qualities, or associated with the particular symbol of their families ; while the Indian children generally are said to blend in their appellations, the name of their mother with that of the animal or object, serving to distinguish their tribe.

It appears to have been a prevailing notion among the Indians of former times, and may possibly be so still among the wilder tribes, that they were indebted to their father for their souls, and to their mother for their bodies.

It having been represented to the authorities, that an Indian idiot had been put to death by the members of his tribe, near French river during the winter of 1838, the representatives of such tribe were called upon for an explanation of the circumstances, at the assemblage on Manitoulin Island, already adverted to, when the following graphic account of the transaction (as



shewn by a report from the Indian Department), was given by the chief Wa-ga-mā-king :

“He came among us,” said the narrator, “at the very beginning of last winter, having, in most severe weather, walked for six days, without either kindling a fire or eating any food.

“During the worst part of the winter he was quiet enough ; but as the sugar season approached, he got noisy and restless. He went off to a lodge and there remained ten days, frequently eating a whole deer at two meals. After that, he went to another, when a great change was visible in his person : his form seemed to have increased, and his face was the colour of a negro’s. At this lodge, he first exhibited the most decided proofs of madness, and we all considered that he had become a windigo (giant).

“He did not sleep, but kept on walking round the lodge saying, ‘I shall have a fine feast soon: there are plenty of bears in this lodge, both young and old.’ He then tore open the veins of his wrist, and drank his blood.

“The next night was the same: he went out from the lodge, and without an axe, broke off many saplings about nine inches in circumference; never slept, but walked all night; and in the morning brought in the poles he had broken off, and at two trips, filled a large sugar camp.

“He continued to drink his blood.

“The Indians then all became alarmed, and we all started off to join our friends. The snow was deep and soft, and we sank deeply into it with our snow-shoes; but he, without shoes or stockings, barely left the print of his toes on the surface.

“He was stark naked; always tearing all the clothes given him off, as fast as they were put on.

“He still continued drinking his blood, and refused all food; eating nothing but ice and snow.

“We then formed a council to determine how to act; and as we feared he would eat our children, it was unanimously agreed that he must

die. His most intimate friend undertook to shoot him, not wishing any other hand to do it.

“After his death, we burnt the body, and all was consumed but the chest, which we examined and found to contain an immense lump of ice, which completely filled the cavity.

“The Indian who carried into effect the determination of the council, has given himself up to the father of him who is no more, to hunt for him, plant, and perform all the duties of a son. We, also, have all made the old man presents, and he is now perfectly satisfied.

“This deed was not done under the influence of whisky—there was none there: it was the deliberate act of the tribe in council.”

The above incident presents a curious illustration of the doctrines of natural law, as understood by savage nations, and as contrasted with the usages of civilized communities.

Whatever may be thought of the resolution of the Council to deprive the poor Indian of his life, it must be conceded that there is something

extremely touching in the circumstance of the victim's most intimate friend being selected to perform the deed, as though he were acquitting himself of an act of brotherly kindness; but more touching still, is the contemplation of the mode of propitiation (a common Indian custom, I believe,) practised towards the deceased's father, as well by the individual whose hand had deprived him of a son, as by the tribe at large, whose council by their mandate had invested that hand with a sort of legal authority.

But I must quit the Manitoulin Islands; while, indeed any thing that I have said respecting either them or the Indians must prove comparatively uninteresting after the more vivid and elaborate representations contained in Mrs. Jameson's very charming work already alluded to.

Tarrying for a brief interval one day, on board a steam-boat, at the Indian village of St. Regis, I derived, in common with many other persons, very great amusement on witnessing

the amphibious performances of a herd of Indian boys, (some of them, of the tenderest age,) who were frolicing in the water, and apparently quite as much at ease there, as were ever any of its native denizens.

It did not seem to make the slightest difference to them whether they were at the top or at the bottom of the water : all that they needed, being the privilege exercised by the porpoise of coming up occasionally to breathe. Their method of sustaining themselves in the liquid element, was the very acme of natation, and they performed whatsoever evolution they pleased by the mere agency of their hands, which they caused to hang pendant from the wrist, in the same manner that a duck is seen to work its web when swimming.

On the passengers throwing some pieces of coin into the water, these aquatic urchins dived after, speedily discovered (how small soever might be the size) and brought them to the surface. When the opportunity of a second scram-

ble was afforded them, they stowed away their former acquisitions, in their mouths, after the fashion of monkeys, and plunged again to the bottom, where (the water being sufficiently clear) they might be seen engaged in the endeavour to hustle one another from the vicinity of the objects of their common competition.

The following list of Indian names, with their English significations attached, may not be thought uninteresting here. Their interpretation rests, not upon any knowledge of my own, but upon the testimony of an intelligent gentleman connected, I believe, with the Indian Missionary service in Upper Canada, but whose name I have forgotten or would gladly give it.

Gananocque.....Large rocks seen in deep  
water.

Catarocque .....Large rocks above water.

Chinguachouchy ...Young pine trees.

Etobicoke .....District of alder.

Matchadash.....Bad marshy land.

Shebanticon.....Several channels through a  
strait.

- Shemong .....A sort of loon, soot.  
Otonabee .....Eagle tribe.  
Kenebeck .....A snake.  
Ontario .....Beautiful.  
Ohio.....Most beautiful of rivers.  
Manitoulin .....Islands of evil spirits or devils.  
Massagaweya .....A river with two outlets.  
Eremosa .....A dog.  
Spadeena .....Rising ground, a little hill.  
Penetanguishine ...Look! it is running sand.  
Pottawatomie .....We are making fire.  
Occmulgee .....Boiling or bubbling water.  
Niagara .....Strait between the lakes, as also the portage and falls.  
Fallulah .....Awful, terrible.  
Alleghany .....Clear water.  
Canandaigua\* .....Place of rest.  
Schenectady.....Over the plain.

\* The American village of this name, near Geneva, in the State of New York, is a most delightful spot, well assimilating in its characteristics with the poetry of the Indian word, as above rendered.

Connecticut.....Long crooked river.  
 Winnipiseogee.....The smile of the great spirit.  
 Mississippi .....The father of waters.  
 We-qua-amik-conk The resort of beavers.  
 Ma-ni-tow-aun-ing The place of spirits.  
 Schqui-ain-dant ...The end of his dwelling.  
 Mis-sis-sau-geeng The principal mouth of the  
   river, or outlets.

The four last are names of places on the Northern shore of Lake Huron and its vicinity, lying between the Indian village of Cold Water (Kis-se-nau-se-bee) and the Sault St<sup>e</sup>. Marie.

To effectually improve the moral and social condition of the Indians in Canada, more especially those dwelling among the white population, it should seem only necessary to carry out a well digested scheme, for reducing the management of their affairs to one general uniform system, and for supplying the means of affording them sound religious instruction, as well as elementary education.



## CHAPTER VI.

Canadian press.—Editorial drawbacks.—Want of public Libraries.—Periodical Literature.—Illustration of popular Instruction in the United States.—Conclusion.

It would be irrational to suppose that the condition whether of the public press or of literature in Canada, could be over satisfactory in the midst of the untoward circumstances of the country, such as they have been described.

Nevertheless, the case as regards the first, is better upon the whole than might be anticipated; nor is there wanting a few publications sufficiently well-conducted and impartial to redeem, in some degree, the general character of the local press from the charge frequently brought against it, of having no fixed code of moral excellence or literary merit, and being a mere epitome of un-intellectual matter.

Far be it for me to undertake the invidious

task of specifying the various journals which might be considered by an impartial observer to belong to the one category or the other. But, without bestowing either special praise or censure, I may be permitted to remark, that the great and generally admitted defect in a very large proportion of the Canadian press, is the absence of a calm, dispassionate style of writing, as also of a philosophic tone of argument, by means of which the public mind might be steadied, and accustomed to a train of reasoning embracing principles and their application, in lieu of being bewildered, as it too often is, by the profitless consideration of mere abstract tenets, bearing only upon speculative objects, or upon questions devoid alike of permanent interest and importance.

In Canada, as in almost every other country, at the present day, much is in the power of the press ; and we may be assured that were one or two publications, answering in character to the above description, promulgated in the Canadian

provinces, they would be productive of the best results, by gradually rescuing the public sentiment from a morbid or an apathetic state, and elevating it to a standard of consistency and healthful vigour.

It is, however, scarcely to be hoped that this great desideratum can be effectually accomplished otherwise than through the medium of an extensive immigration, and of an improved system of popular education: for the required stimulants to exertion being now almost wholly wanting, few will be content to labour, even in the work of social regeneration, without some prospect of personal reward.

At present, editorial labours are very inadequately requited in Canada, and particularly in Upper Canada.

It also mostly happens that the provincial editors are the proprietors of their respective publications; and if we may judge by their repeated advertisements, calling upon their subscribers to pay up arrears, the editorial mind

must be far too often distracted from its legitimate pursuits by anxiety as to the state of the finance department.

I remember on one occasion, during my residence in Montreal, the proprietors of two rival papers which were wont to make their appearance daily, being obliged to come to a mutual understanding to issue their respective publications only on alternate days, because their profits were inadequate to permit the continuance of the original practice.

If the paucity of public libraries in the country may serve as any criterion, the Canadians generally cannot be regarded as a very reading people, while the bulk of such books as are to be met with centres in the Lower Province. At Quebec, there is a moderately good library, besides that (said to be choice and valuable), which appertains to the garrison. At Montreal, also, there is a small public library, to which, as at Quebec, you obtain admission on pay-

ment of an annual fee ; but neither at Kingston nor Toronto, is there any thing in the shape of a public library to be seen. In the latter place, there is a small collection of professional works belonging to the Law Society, and also an inconsiderable library attached to the House of Assembly ; but of course, neither of these can be said to constitute a public library. At Toronto, moreover, there exists but one private book store at which a standard work can be obtained. A few individuals in both provinces, are said to possess well-stored libraries of their own, and to be sedulous in their endeavours to recruit them.

The military sensitively feel, as regards mental occupation, the change from Lower to Upper Canada, and labour under great disadvantages in this respect, when quartered in the towns of the latter province. Attempts have occasionally been made to establish periodical literature in Lower Canada, though they have been attended

with very indifferent success; but, in the Upper Province, no effort of the kind appears to have been at any time displayed.

Though it cannot be a matter of reproach to the Canadians that they have no literature of their own, seeing that whether as regards the present or the future, and under any change of political circumstances, they must mainly depend, like their neighbours the American citizens, upon their common parent, England, for their chief literary aliment, it is nevertheless extraordinary that they should take so little pains to establish public institutions by whose agency the benefits of English literature might be more generally disseminated among them.

To conclude the few remarks that I have hazarded upon the preceding topics, I will just adduce, as not irrelevant to them, the following incident, illustrative of the sense in which popular instruction is practically understood in the United States.

Upon the table of a room, in a little inn, in

a remote part of the State of New York, I once happened to see lying open, an abstruse work on Algebraic Equations, which, from its well-thumbed appearance, must have been much in requisition. My conjectures as to who, in such a place, could be the party accustomed to consult a work of this description were speedily set at rest by the entrance of a rough-looking man of the working class, attired in a rustic garb, who, forthwith seating himself, took up the book in question, and was soon absorbed in its perusal.

It is to be apprehended that the traveller in England, or in any other country but the States, would vainly seek a similar exhibition, though even there, such an instance of rural learning as that recorded, would perhaps be seldom witnessed.

Throughout these pages, it has been my object to show that any abstract measures which may be attempted with a view to the promotion of Canadian, as identified with British interests,

must prove abortive, unless they be based upon the solid foundation of physical strength and moral improvement.

With reference to the first, it needs but little evidence to prove, that according as immigration were encouraged, so would security to Canada increase ; that in proportion as land, capital, and labour were permitted to find their legitimate employment as creative powers, so would the vast resources of the country become tangible, and that in the ratio of their development, so would the general prosperity proceed.

As regards the cause of moral improvement, it is no less evident that, whether considered abstractedly in itself, or as a necessary adjunct, to give permanence to the prosperity just mentioned, it is only to be effectually promoted by the timely reconciliation of religious dissensions, and by making adequate provision for affording to the entire community such religious and secular instruction as shall prove suited both to their present and progressive wants.



How far the proper means to either of the ends in question have been suggested in the present volumes, an enlightened public will be best able to determine, and by the impartial judgment of that public, in relation to the matter, it will be the duty of the Author with all deference to abide.

# APPENDIX.

No. I.

Vol. I. page 167.

**AFTER DISTRICT GENERAL ORDER** issued on the occasion of the Affair at Prescott.

*Toronto, November 19th, 1838.*

**HIS EXCELLENCY MAJOR-GENERAL SIR GEORGE ARTHUR** feels the greatest gratification in announcing to the Queen's Regular Troops, and to Her Majesty's Militia of the Province, now so happily engaged hand in hand in the defence of their country, against internal disaffection, and against the most cruel and unjust aggression from abroad, that their united efforts have proved decidedly effectual in overcoming a gang of desperadoes, who lately had the temerity to make a descent, from the United States, on the Canadian shore of the St. Lawrence, between Prescott and Johnstown.

The pirates, on landing took possession of some stone houses, and a stone mill, of extraordinary

strength of masonry, about one and a half mile below the former place ; of these they held possession for some time, closely blockaded by the Loyal Militia, under Colonel Plomer Young, particular service, until reinforced by Colonel the Honourable Henry Dundas, with a Demi Field Battery of the Royal Artillery, and some companies of the 83rd Regiment from Kingston. Against such a force, when supplied with heavy artillery, it was impossible for the enemy long to hold out ; and after the stone houses had been destroyed, a white flag was hoisted at the mill, and its occupiers were permitted to surrender at discretion.

The fruits of these gallant proceedings, consisted of about one hundred and sixty-seven prisoners, exclusively of about sixteen wounded.

It is reported, that not less than fifty-six of the enemy were killed during the operations.

Colonel the Honourable Henry Dundas, Colonel Plomer Young, and Captain Sandom, Royal Navy, commanding the Naval Flotilla, speak in the very highest terms of the gallantry, good conduct, and extraordinary forbearance, of the whole of the Seamen, Marines, the Regular Force, the Militia, and the Volunteers, employed on the occasion.

The British loss consists of Lieutenant Johnston, 83rd Regiment ; Lieutenant Dulmage, of the Grenville Militia, killed ; and Lieutenant Parker, Royal Marines, and Lieutenant Parslow, of the Militia, wounded ; with about forty-five rank and file killed and wounded.

The loss of the Brigands was particularly severe in officers, among whom were the self-styled Generals Brown and Phillips.

His Excellency Major-General Sir George Arthur cannot sufficiently applaud the alacrity and firmness with which Colonel Plomer Young attacked the Brigands, with a very inferior force, on their first appearance on the Canada shore ; and the gallantry with which the detachments of the 83rd Regiment, and Royal Marines, with the Militia under his command, drove them to seek a temporary security in the mill and houses : in which, however, they found it totally impracticable long to maintain themselves against British valour and persevering intrepidity.

The Major-General also offers his warmest thanks to Colonel Dundas, for the able disposition of his force, and his indefatigable exertions ; to Colonel McBean, R. A. ; to Colonel R. Duncan Fraser ; to

Lieutenant-Colonel Gowan ; and Captain George Macdonald ; and to all the officers of the Militia and Volunteers, whose names he is alone prevented from particularising, by the casual absence of the despatch from Colonel Young, which enumerated them ; and His Excellency is confident that the gallant example now shewn, will be followed with equal loyalty and spirit, by all the Militia of the Province, should their services be called for.

● To Captain Sandom, commanding the Royal Navy, likewise are His Excellency's thanks most fully due, for his vigilance and able co-operation ; and to Lieutenant Fowell, Royal Navy, who so gallantly commanded Her Majesty's steamer *Experiment*, which although so inferior in point of size and power, obliged the enemy's steamer *United States*, to seek refuge in an American port.

His Excellency the Lieutenant Governor, likewise, has much pleasure in congratulating Colonel Carmichael, particular service, and the loyal and gallant Glengarry Militia regiments, under Colonel McDonell, Fraser, Chisholm, and McDonell, whose ready aid in moving into the Lower Province, mainly contributed to the recapture of the *Henry Brougham*, and has earned for them the high

approbation of His Excellency the commander of the forces.

By command. (Signed) C. FOSTER, Colonel,  
Assist. Adj. Genl.

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No. II.

Vol. I. page 188.

CIRCULAR.\*

*Safety Committee Room, 18th August, 1839.*

GLORIOUS NEWS FOR THE PATRIOTS.

The Chancellor of the Exchequer recently declared in the House of Commons, in England, that the Canadian Revolution had already cost Great Britain upwards of ten millions of dollars, and remarked that a continuance of the expense of keeping up so large a military establishment in those colonies, could not long be borne.

Daniel O'Connell and Mr. Leader, the great advocates for liberty, ably defended the Lower Cana-

\* Comment upon the artful distortions, the calumnies, and the atrocious language contained in this document, is unnecessary.

dians in the British House of Commons, and sustained the revolting party in the course they have taken.

John G. Parker, and seven other leading Upper Canada patriots, who were banished by Governor Arthur, have been liberated in England, and are now on their return home.

Instructions have been given by the ministry in England, for the immediate liberation of all the Patriot prisoners, now in custody of the authorities in the Canadas.

Sir John Colborne has recently been dismissed from the office of Governor-general of the Canadas, and recalled to England in consequence of the severity with which he uniformly treated the French Canadians, engaged in the revolution.

Mr. Charles Buller, secretary to Lord Durham, (while the latter was discharging the duties of Governor-general of the North American colonies) and member of the House of Commons, strongly censured Governor Arthur, for executing those brave patriots, Lount and Matthews, and unhesitatingly told the Prime Minister, that he, Governor Arthur, had made false representations relative to Canadian affairs, and particularly in stating the

number who signed a petition to have the lives of Lount and Matthews spared.

It is ascertained for a certainty, that Governor Arthur's conduct in relation to the cruel treatment of Patriot prisoners and suspected persons, is disapproved of in England, and it is confidently expected that he will soon be dismissed and follow Governor Colborne.

The government of Great Britain have approved of the decision of the Lower Canadian judges, who were suspended from office by Governor Colborne, for interfering with the military law, and are again in office to see that justice is done to the oppressed!!

**FELLOW-PATRIOTS :—**The Committee of Safety have much pleasure in communicating to the friends of freedom the above facts recently received from unquestionable authority, which cannot fail to dispel the dark cloud which has for months past cast a solemn gloom over the Patriot cause.

It is quite clear that the British government are already tired of the expense of retaining the Canadas at the point of the bayonet, as they have done for the last eighteen months. The enormous amount of doing so, has to be borne by the people in



England, or they at once lose those colonies ; and it is evident that the six millions of dollars yearly required to maintain a standing army for that purpose, has its proper influence with *Queen Victoria's* advisers, who will pause before they increase the excitement in England, already bordering on a state of revolution, by an additional tax, which must be resorted to, as mentioned by the Chancellor, should the Canadas be retained by the Queen.

The Committee are without proof that the British Ministry *secretly* desire to have these colonies *rescued* from under their control, but they are in possession of facts that fully justify a conscientious belief that such *is* really the case.

The frankness of the Chancellor of the Exchequer in stating that the Canadas could not long be held by Great Britain, under such heavy yearly expense ; the open manner Messrs. O'Connell and Leader, both in confidence of the Ministry, advocate in the House of Commons the course pursued by the Lower Canadians ; the certain dismissal of Governor Colborne, in consequence of ill-treating the French Canadians, suspected of being concerned in the rebellion ; the strong language made use of in the House of Commons, by Mr. Charles Buller, rela-

tive to Governor Arthur's conduct in executing Lount and Matthews; the daily censure heaped upon the latter functionary by the authorities in England, for the tyranny which has characterized all his past acts, (whenever he had Patriot prisoners in his power); the liberation of that useful and leading Patriot, John G. Parker, and others; the restoring to office of the Lower Canadian judges, dismissed by Governor Colborne, for allowing bail to Patriot prisoners confined under Sir John's martial law; with many other similar facts, all go to strengthen the committee in their well-grounded belief, that whatever those who wield the power in Great Britain may openly say relative to holding the Canadas, they very prudently, and with an eye to their alarming troubles at home, secretly desire to rid themselves of these expensive colonies, the assertion of all the Tory tyrants therein to the contrary notwithstanding.

In pursuing this subject a little further, the Committee beg leave to remark, that it is well known in Great Britain, that full nineteen-twentieths of an IMMENSE Lower Canadian population are hostile to their present government, and in favour of a revolution; and it is equally well known, by the au-

thorities in England, that those Canadians have only been deterred from a general insurrection, and putting down the hired soldiery and loyalists, by a knowledge that should they make another attempt for liberty, and fail to overpower the soldiers and loyalists, for want of arms, Governor Colborne would certainly pursue the same horrid butchery of men, women and children, and the destruction of *whole* villages by fire, that characterized his proceedings in the first and second outbreak. The same, to a certain extent, will equally apply to Governor Arthur's conduct in Upper Canada. If the British ministry were, therefore, really determined to hold those provinces at the point of the bayonet, as they have thus far done, is it reasonable to suppose that they would under any circumstances withdraw the very men from the government of the Canadas, who it is notorious have (by their *cruel* acts, and threatenings to punish more severely in the future,) kept a *great* number of the less informed and timid Patriots in both provinces, from fulfilling the solemn pledges given to the United States Patriots, (who went from their homes to assist in giving them freedom,) in coming to their assistance according to expectation, in the hour of

danger, thereby causing every *defeat* the Patriots have thus far met with.

The embarrassment which the fearless Patriots have had to contend with by such weakness on the part of their timid fellow-citizens in the Canadas, will now be effectually removed by the departure of Governor Colborne from Lower Canada, and the daily expected dismissal of Governor Arthur in the Upper Province, and the difficulty that so many real friends have so long laboured under for want of arms, can be easily overcome by throwing into the hands of those who *will use them* a sufficient quantity to make them useful.

Taking a candid view of the whole of the preceding truths, and without giving them any improper colouring, they certainly do forbode prospects cheering to those who still nobly desire to see the Canadas freed from bondage, and who by now coming forward manfully will accomplish an object worthy and creditable to the name of *freemen*, and feeling assured that the reorganization of a new society, under such favourable circumstances, will hasten on a crisis so much desired by thousands, yea millions, and with a view of keeping up a high state of excitement and alarm in the Canadas so es-

essentially necessary for the furtherance of that cause. The Committee have thought it advisable to issue circular letters, setting forth their views upon the important subject, and have dispatched several of their own members to distribute them *confidentially*, in different directions, with further authority to form, while on their present tour, societies on our own, and the Canadian frontier, agreeable to the accompanying instructions, which, if rigidly observed, will effectually baffle the *most sagacious* to ascertain even of the formation of a new secret society, or subsequent movements, in time to prevent successful operations.

As soon as the societies can be properly formed, (which owing to the extent of territory on both frontiers, and the extreme difficulty and caution necessary to be observed in approaching the Canadian shores, and passing through those provinces unsuspected, will take some *considerable* time,) notice will be given relative to future proceedings ; in the mean time the Committee do earnestly beg and entreat that no public show will be made, no expressions heard to escape the lips of any person, calculated to excite suspicion among those who do not feel disposed to heartily unite in the glorious cause ;

but let all appear as calm and silent as the grave (except nightly meetings,) till the proper hour shall arrive.

With reference to future movements the Committee will merely now remark, that whatever course they may hereafter decide on pursuing in this matter, it now strikes them very forcibly that as there are many places on the Canadian frontier, where landing can be made without coming in direct contact with a superior British force, and hundreds of other places where little or no force is kept, particularly in the Upper Province, a very successful invasion can be for years carried on, if necessary, by the joint co-operation of the friends in the Canadas, affording as the latter can, at all times, the most correct and useful information.

While there continues so great a military force in the Canadas, and while the authorities there continue in the belief that their government across the Atlantic desire them to defend these provinces, it will not be advisable that any place taken possession of by the Patriots in those colonies, shall for the present be permanently held.

The example which the tyrants of Great Britain first set our forefathers in the revolutionary war of

1776, followed up by Colonel MacNabb and Captain Drew in the Canadian revolution of 1837, can be speedily accomplished on landing, and the places evacuated before any great combination of force can be brought to bear against the Patriots. The insulting manner which the officials, backed up by other loyalists, have, time after time, exposed the lives of hundreds of American citizens, by discharging small arms at our steam-boats and schooners in passing (on their regular and lawful business,) by those hot-beds of Toryism, *Brockville*, *Prescott*, and other places on the Canadian shores, calls loudly for merited chastisement.

We shall no doubt be told, and very likely too by our own government, that we are engaged in a cause calculated to create ill feeling between Great Britain and the United States, that may ultimately bring on a national war between those two powers. Anticipating such an objection by some few citizens against the Patriot cause, the Committee, in reply, do not hesitate to say, that Great Britain with her alarming difficulties at home will not venture a war with the United States government, in consequence of citizens of the latter taking possession of a territory four thousand miles from England, which costs

the latter millions of dollars yearly more than its worth, and which they no doubt *wish* to get rid of; but suppose, on the other hand, that Queen *Victoria* should be advised to declare war against *Uncle Sam*, pray tell us, ye wise men, what she should gain by such a step? The Committee say, *nothing whatever*. What then would she lose?—*All her North American Colonies*. Besides, would not a war firmly unite the Southern and Northern States? Would not the question relative to Maine, and other disputes, be finally settled in less than a month after a declaration of war? Would the Canadians remain a day under Great Britain? Nay;—but why dwell on this subject?—there is no danger, if danger it can be called, of such being the case.

Shall *we* then, the offspring of those brave Patriots, whose blood flowed so copiously in freeing themselves from the same oppressive and galling yoke of tyranny that the Canadians are groaning under, be prevented from following in the footsteps of our illustrious ancestors. Let us, as a people who know the blessings of freedom, shew that the descendants of those who taught Great Britain to be just to the now United States in 1776, will teach Miss *Victoria* and her government, to be



also just to the Canadas, labouring under similar oppression that we once did: and that should it take years, and millions of dollars, and oceans of blood, those suffering colonies should yet be free, and the guilty officials who have in the least participated in the murdering of American or Canadian citizens, or in the capturing, trial or execution of a Patriot, may yet in their turn have to enter upon the scaffold for execution, should justice, in a more summary way, not sooner overtake them.

It will, no doubt, be gratifying to the friends of freedom to know that there is no want of the necessary means to carry on an extensive invasion, should Great Britain drive us to that alternative, as we can now safely depend on considerable assistance from the Canadas. The Committee look forward at no very distant period, to see those Provinces a second Texas, and when that day arrives, be it sooner or later, the names of those registered, as directed by the instructions of this Committee, and continue from under the new society to the end, will be sure of receiving such rewards as their services may justly entitle them.

In taking leave of you, fellow-citizens and Patriots, for a while, the Committee think they

have only to call your thoughts for a moment to past events, to convince you that our future prospects to glorious honours and wealth on the one hand, or the total ruin, defeat, and disgrace on the other, depends upon a well organised society, who to a man must, under the most trying circumstances, make strict secrecy, watchfulness, patience, order, perseverance, brotherly love, a determination to support the by-laws, his constant watchword.

(Signed) J. L. QUINN,  
Chairman to the Committee of Safety.

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### No. III.

Vol. I. page 277.

**DECLARATION** of the Causes which led to the formation of the Constitutional Association of Quebec, and of the Objects for which it has been formed.

The political evils under which Lower Canada has long laboured, have recently been increased in so alarming a degree, that the subversion of Government itself is to be apprehended, with the consequent

disorders of anarchy, unless the progress of them be arrested, and an effectual remedy applied.

Under the influence of a party in the Assembly of the Province, labouring by every means which they could devise to concentrate political power in their own hands exclusively, national distinctions have been fostered and established, the administration of the local Government has been perseveringly obstructed and impeded, its authority brought into contempt, and public and private security essentially impaired and endangered; whilst the just subordination of the Colony to the Parent State has been openly questioned, and resistance to its authority, if not avowedly inculcated, certainly covertly promoted.

In prosecution of the views of the party to which those evils are mainly ascribable, that portion of the population of the Province which has been by them designated as "of British or Foreign origin" has virtually been, and now is, deprived of the privilege of being heard in the Representative Branch of the Government in support of their interests and views. The portion of the population thus proscribed amounts to about one hundred and fifty thousand souls, or one-fourth of the whole, and comprises

nearly all the merchants, the principal members of the learned professions, a large body of skilful and wealthy artizans and mechanics, and a great number of respectable and industrious agriculturists, possesses extensive real estate, and holds by far the greatest portion of the capital employed in the pursuits of trade and industry; all which interests are liable to be burthened, and in fact have been injuriously affected, in consequence of the proceedings of the said party and of the majority of the same origin by whom they have been supported in the Assembly of the Province.

The class of persons by whom Members of the Assembly are almost exclusively returned,—that is, the inhabitants of French origin, who form the majority, and whose character is in other respects most estimable,—has shewn itself peculiarly liable to be acted upon by ambitious and self-interested individuals, who, by exciting the latent national prejudices of the majority against their fellow-subjects of a different origin, can, as appears from late events, lead them astray by specious though perfectly unfounded representations addressed to their prejudices and passions.

By these means the party in the Assembly al-

ready alluded to, has acquired a dangerous ascendancy over this class of the population, and the result of the late elections evinces that they will use it for the purpose of securing the return of such persons only as will act in subserviency to them. Upon that occasion it is notorious, that no other qualification was asked or required from candidates than an implicit acquiescence in the views and wishes of the party as expressed in the resolutions of the Assembly to be presently adverted to.

While the representation of the Province continues on such a footing with the concentration of power incident to it, experience has shewn that there can be no hope of a fair and impartial administration of the powers of Government, and there is too much reason to apprehend that in a body so constituted, the public and the general interests of the Province, commercial and agricultural, will continue to be overlooked and neglected or subjected to injurious regulations, its improvement obstructed and retarded, and the whole internal Government of the province deprived of the Legislative superintendence and provisions which are necessary for its efficiency, and the promotion of the general welfare.

The political evils arising from the constitution and composition of the Assembly have been greatly increased and aggravated by the Act of the Imperial Parliament placing at the disposal of the Assembly, absolutely and unconditionally as is understood by that body, the important revenue by means of which the civil expenditure of the Province was previously defrayed. By this increase to the power derived from great numerical superiority in the Assembly, have been superadded the irresistible weight and influence necessarily conjoined with the exclusive power of appropriating the revenues absolutely and indispensably requisite for defraying the civil expenditure of the Province, by means of which the Executive Government has been rendered entirely dependent on the will and pleasure of the leaders in the Assembly for its very existence, and public authority, both administrative and judicial, from the Governor in Chief and the Chief Justice of the Province, to the most humble individual in the scale of office, has been subjected to their interested, partial, vindictive, or capricious control.

If any doubt could heretofore have been entertained as to the design and tendency of the proceedings of these men, that doubt must have been

removed by the Resolutions passed in the Assembly on the 21st day of February 1834, containing divers false and scandalous imputations of so general a nature as not to admit of answer or investigation, against the character and conduct of His Majesty's Government in this Province,—against the whole body of its officers, civil and military,—against the judiciary and the second branch of the Provincial Legislature,—against the large portion of the inhabitants of the colony engaged solely in the duties and pursuits of private life, and against the British Government generally as respects this Province since the cession of Canada to His Majesty by the crown of France.

These Resolutions passed by a majority of 56, of whom 51 were members of French origin, against 24, of whom 17 were not of that origin. They formally class and enumerate His Majesty's subjects in this Province as persons of "French origin" and of "British or Foreign origin," the former of whom are erroneously stated as consisting of 525,000 and the latter 75,000 souls.

The address to His Majesty and to the two Houses of Parliament wherein these Resolutions are embodied, and which have been transmitted to

England, claims a revision and modification, by the majority of the people of this Province, of the Constitutional Act; an extension of the elective system contrary to the prerogative of the Crown and the British Constitution, for the purpose of vesting the appointment to offices of honour and profit in the said majority of the people; the election of the second branch of the Legislature, now appointed by the Crown for life, in virtue of the aforesaid Act; threatening at the same time the British Government and Parliament with the example of the late Colonies now the United States of America, and insisting upon being supported in the demands contained in the said Resolutions, that the people of this Province “may not be forced by oppression to regret their dependence on the British empire, and to seek elsewhere a remedy for their afflictions.”

In furtherance of the views of the framers of the said Resolutions and Address, the said Resolutions were, shortly after the close of the last session of the Provincial Parliament, printed and distributed in great numbers throughout the Province at their public expense; and certain Committees were therein invited to be formed, to aid in giving effect to the same, under a pledge of the honour of the



Representatives of the people, to reimburse the expenses of the said Committees, to them, or to such persons as might advance money to them.

The party already referred to, composed of certain Members of the House of the Assembly, of French origin, has for several years past, as already stated, and as is well known, taken advantage of every opportunity,—both by speeches delivered in the House of Assembly and elsewhere, and through means of newspapers under their control, to excite the ancient national prejudices of the inhabitants who are of French origin, against their fellow-subjects who are not of that origin; and particularly by the aforesaid Resolutions printed and distributed as aforesaid, and by meetings and committees in support thereof, they have in fact so operated upon the prejudices of persons of their origin, as to excite a great number of them to frequent public expressions of hatred, and threatened violence to those not of the same national origin.

In consequence of these machinations and others connected with and resulting from them, it has come to pass, as might have been looked for under such circumstances, that at the late general election, (as the poll books kept of record according to

law will shew,) majorities consisting of persons of French origin have chosen nearly the whole of the Members who are to compose the House of Assembly for the ensuing four years, of persons of that origin who have publicly approved of the said Resolutions, or pledged themselves to their support.

As suborbrate to the grievances now stated, but contributing materially to the political evils of the Province, other departments of the Government may be mentioned as to which measures of reform are urgently called for. The system of judicature, as now established, it is universally known, is altogether insufficient and unsuited to the present state and condition of the Province. From the great extension of the Settlements, and the increase of population in different districts, the Courts of Original Jurisdiction have become inaccessible to the inhabitants at a distance from them, otherwise than at a ruinous expense, involving in many cases a denial or failure of justice ; while the Court of Appeals, from its peculiar constitution, is unfit for the exercise of the powers with which it is entrusted. That a system of such vital importance to the public welfare, and yet so injuriously defective and inade-

quate, should have continued without alteration or improvement, is among the striking evidences of the imperfect exercise of powers entrusted to the Provincial Legislature.

In every well regulated Government it is essential that the Executive authority should be aided by the advice of able and well informed individuals, acting together and in a body, by which sound discretion, uniformity, consistency and system are imparted to its measures. Among Colonial Governments, which are generally administered by persons labouring under the disadvantage of a deficiency of local information, assistance of this nature is indispensable for the attainment of the ends of good Government. This body of advisers ought to be found in the Executive Council of the Province; but its Members are too few in number, and its composition too defective to answer the purposes of its institution.

Whilst the greatest importance ought to be attached to the selection of fit persons for seats in the Legislative Council, it is indispensably necessary for the stability of the Government as now constituted, and for the security of His Majesty's subjects within the Province, that the power of

appointing Members of that branch of the Legislature should continue to reside exclusively in the Crown, but subject to such regulations as may be deemed proper for ensuring the appointment of fully qualified persons.

Under the foregoing view of the political state of the Province, the object of the Constitutional Association of Quebec will be, by Constitutional means —1st. To obtain for persons of British and Irish origin, and others His Majesty's subjects labouring under the same privation of common rights, a fair and reasonable proportion of the representation in the Provincial Assembly. 2nd. To obtain such reform in the system of judicature and the administration of justice as may adapt them to the present state of the Province. 3rd. To obtain such a composition of the Executive Council as may impart to it the efficiency and weight which it ought to possess. 4th. To resist any appointment of Members of the Legislative Council otherwise than by the Crown, but subject to such regulations as may ensure the appointment of fit persons. 5th. To use every effort to maintain the connexion of this Colony with the Parent State, and a just subordination to its authority. 6th. To assist in preserving and

**maintaining peace and good order throughout the Province, and ensuring the equal rights of His Majesty's subjects of all classes.**

**NOW WE, whose names are undersigned, taking the premises into our serious consideration, do hereby form ourselves into a Constitutional Association for the purposes stated in the foregoing Declaration, and for mutual support in the discharge of the duties of our allegiance to His Majesty, as lawful Sovereign of the United Kingdom of Great Britain and Ireland, and of this Province, dependant on and belonging to the said kingdom—**

**Declaring that we wish for no preferences or advantages over our fellow-subjects of whatever national origin, nor any infringement of the rights, laws, institutions, privileges and immunities, civil or religious, in which those of French origin may be peculiarly interested, and to which they are entitled, or which they enjoy under the British Government, and the established Constitution; desiring merely for ourselves the enjoyment of equal rights with our fellow-subjects, and that permanent peace, security and freedom of our persons, opinions, property and industry which are the common rights of British subjects.**

And in furtherance of the purposes aforesaid, to the utmost of our power, we hereby pledge ourselves to each other and to our fellow-subjects throughout the empire.

QUEBEC, DECEMBER 1834.

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No. IV.

Vol. I. page 277.

TO MEN OF BRITISH OR IRISH DESCENT.

FELLOW-COUNTRYMEN,

Engaged in a contest, the result of which must be felt throughout the Provinces of British America, we, your calumniated and oppressed brethren of Montreal, solicit your attention to a brief and temperate exposition of our principles and grievances.

Connected with you by identity of origin, by community of feeling, by national recollections, and by one common interest in this the hour of danger we look to you for support.

The population of Lower Canada, heterogeneous in its character, comprehends two distinct classes, a majority of French and a minority of British descent, governed by feelings and attachments

widely different from each other ; the causes which have produced that division may not be generally known.

The want of education among the French majority, and the inconsequent inability to form a correct judgment of the acts of their political leaders, have engendered most of our grievances. The extent of that ignorance may be collected from the facts, that within the last two years, in each of two grand juries of the Court of King's Bench for the district of Montreal, selected under a provincial law, from among the wealthiest inhabitants of the rural parishes, there was found but one person competent to write his name ; and that trustees of schools are specially permitted, by statute, to affix their crosses to their school reports.

The political information of that part of the Canadian population engaged in agricultural pursuits is therefore derived exclusively from the few educated individuals scattered among them, who speak the same language, and who possess the means of directing public opinion, exempted from those salutary checks which education alone can bestow.

The persons who wield this mighty power are,

generally speaking, Seigneurs, Lawyers, and Notaries of French extraction, all of whom, as will be shewn hereafter, have a direct and selfish interest in maintaining a system of Feudal Law, injurious to the country and bearing with peculiar severity on British interests.

Our endeavours to procure relief have been represented, as a covert attack upon the customs and institutions of the Province; national prejudices have been called into action, national feelings excited; and a French majority, ignorant of the nature of the contest, is now arrayed against a British minority.

Passing by the petty vexations of the feudal tenure, such as the Seigneurs' right to call for the title deeds of every vassal; his exclusive right of grinding the grain of his Seigneurie; his right to assume any property within the limits of his Seigneurie on reimbursing to the purchaser the cost of his acquisition; and other claims of a servile and arbitrary character incident to feudal law, we proceed to the subject of the more grievous burdens by which we are oppressed.

Throughout the Seigneuries of Lower Canada, within the limits of which are comprised the cities



of Montreal and Quebec, upon the sale of real property the feudal lord exacts from the purchaser a fine equal to one-twelfth part of the price ; a claim which recurs with each successive sale ; thus every person who clears, or otherwise improves a farm, erects a building, either in town or country, or invests capital in landed estate, bestows one-twelfth of his outlay on the Seigneur, whenever the property is brought to sale.

. This odious law, so injurious in its effects, readily explains why this fine Province, although richly endowed by nature, is so far surpassed in the career of improvement by neighbouring provinces and states.

From the want of a Bill for the registration of real property, the validity of a title cannot be ascertained except by a course of expensive proceedings through the Courts of Law, but secret incumbrances may still exist, unaffected by that procedure, for whose discovery no means are afforded ; hence the difficulty of borrowing money on mortgage, and the frequent seizure and forced sale of real estate.

The profits which accrue to the Seigneur from this state of things are obvious ; and the interest of

the French Lawyer and Notary, in maintaining a system of law that fosters litigation, and produces corresponding expense, is equally intelligible.

Such are the considerations which govern a party exercising paramount influence in the House of Assembly ; and thus it is that British liberality which conferred upon the French population the elements of free government, has been perverted by designing and interested individuals to the means of retaining laws adverse to national prosperity and to the spirit of free institutions.

The repugnance of Britons to a slavish and antiquated system of feudal jurisprudence has drawn upon them the undisguised hostility of the French party ; an hostility which has been manifested by attempts even of a legislative character to check emigration from the British Isles, and to prevent a permanent settlement in the Province of that class of His Majesty's subjects, whom they have invidiously described as "of British or Foreign origin."

The most prominent of those enactments, and the most unjust, is their imposition of a tax on British emigrants, and British emigrants only, in violation of the most sacred rights we inherit from

our fathers, and contrary to the best interests of the Province.

In the formation of counties for the election of representatives, the townships, which are held by the tenure of free and common soccage, and are therefore the natural resort of British settlers, have been divided into counties, according to the actual population, without making any provision for its future growth, although the territory thus parcelled out is of much larger extent than the French seigneuries ; so that were the respective sections of the province peopled in proportion to their productive powers, a majority of British constituents would return a minority of representatives.

They have excluded co-tenants and co-proprietors from the elective franchise, as being generally Britons, whilst to co-heirs, as being chiefly French, the right of voting has been carefully secured.

The qualification of magistrates, of militia officers, and of jurors, is made to depend upon real estate ; the possession of which, in properties of limited value, is generally confined to Canadians, whilst Britons, whose capitals are more commonly embarked in commercial and manufacturing pursuits, are virtually debarred from those offices and public

trusts ; thus confiding our liberties to the discretion of a body of men, the greater number of whom are devoid of education, and have been taught to regard Britons as their natural enemies.

Their abuse of power and contempt of enlightened public opinion, (confident in the support of an unlettered French majority), are exemplified by their proceedings in the House of Assembly. We have seen Mr. Christie expelled from successive parliaments, despite the remonstrances of the disfranchised electors of Gaspé, and contrary to every principle of a representative government—Mr. Mondelet expelled by a forced construction of an illegal resolution—a construction, from which the framer of the resolution declared his dissent ; and contrary to the precedent in the case of Mr. Panet, who, under like circumstances, was permitted to retain his seat—the West Ward of Montreal, containing a majority of independent British electors, disfranchised for two years—a pretended inquiry into the melancholy riot of the 21st of May 1832, where individuals were pronounced guilty before the examination of a single witness ; and where, in violation of a solemn pledge, and of common justice, the evidence for the prosecution was sent forth to the world.

without any evidence having been received in defence—public monies misapplied under resolutions of the Assembly, without the assent of the co-ordinate branches of the Legislature—the contingent expenses of the Assembly charged with a salary to Mr. Viger, originally of £1,000, but gradually increased to £1,700 per annum ; a sum, so disproportionate to the services rendered, as to justify the conclusion, that the vote itself was a convenient pretext for the secret misapplication of provincial funds ; and their daring contempt of all public and constitutional principles during the last session, and on the eve of a dissolution, in attempting to commit a new Parliament to the reimbursement of the expenses attendant upon the convening of public meetings throughout the Province, avowedly for the purpose of influencing the general election.

The laws governing commercial transactions introduced from France, remain as they were at the conquest. Applications to the Assembly for a bankrupt law, and other modifications of the existing jurisprudence, suited to the altered circumstances of the country, have been uniformly neglected, and we continue subjected to the uncertain and ill defined provisions of a body of laws long since repu-

diated in France, whence it was originally derived.

The provincial Banks, called into existence by acts of the provincial legislature, and by the terms of their charters, compelled annually to exhibit statements of their affairs, have been openly denounced by Mr. Papineau, late Speaker of the Assembly, and organ of the French party, from no other possible motive than a desire to inflict injury upon commerce, and consequently on Britons, by whom the commerce of the country is chiefly conducted.

The same individual has publicly recommended to the French party to abstain from all intercourse with Britons ; an advice which has been acted upon to a considerable extent.

Not satisfied with the powers with which they are constitutionally invested, the French party in the Assembly have been incessantly occupied in attempting to arrogate to themselves a supremacy in the concerns of the Province.

Their refusal to pass laws, except of temporary duration, has involved in uncertainty important interests which would require to be regulated by permanent enactments.

Their claim to pass in review the salaries of all public officers by an annual civil list, voted by items, would, if acceded to, lead to a disorganization of government, and ultimately render the judges, and other public functionaries, the instruments of their political animosities.

The Legislative Council, a body appointed by the Crown, and where alone British interests are fairly represented, they are endeavouring to replace by an elective Council, which, returned by the same constituency, must, from necessity, be in all respects a counterpart of the Assembly; a measure which would remove the barriers that defend us against French tyranny, and give to a majority, hostile to British interests, a power that would be employed to sever the connexion between Canada and the empire.

Our opposition to this extension of the elective principle, dictated by self-preservation, has been falsely represented as an opposition to liberal institutions. Accustomed to see in the neighbouring states the mild tolerance of equal laws, and a constitution in its essential features approximating to our own, we are not of those who startle with

alarm at the name of a republic, or view their institutions with jealousy or distrust. With sentiments of generous pride, we recognize the lineaments of kindred blood and national character. Sensible of the benefits derived from our connection with the Parent State, and ardently attached to the land of our fathers, we view with grief and indignation, proceedings, which, if not successfully resisted, will leave us no choice between a change which we deprecate, and a submission to French oppression.

It were an insult to the understanding to dwell upon public opinion, as expressed by a population, destitute of the advantages of education, as the mass of the French population in this province has been shewn to be, and we regard, with blended feelings of indignation and contempt, the affectation by the leaders of the French party, of the character of liberals and reformers, whilst they have sedulously fostered a system of feudal exactions and feudal servitude, which invest a privileged class with more arbitrary rights than the nobility of England, without the plea of hereditary claims to legislative honours.

Numbering in our ranks many who, both in Bri-



tain and Ireland, were foremost in the cause of Reform; independent in our principles; unconnected with office; of all classes and of all creeds; bound together by the endearing recollection of a common origin, and the powerful sentiment of a common danger, we are prepared to resist to the uttermost the efforts of a party, which, under the specious guise of popular institutions, would sever wisdom from power, and respect from intelligence, and consign us to unendurable bondage.

Cherishing sentiments of becoming respect for his Majesty's government, and correctly appreciating its many efforts to advance our prosperity, the task we have undertaken to perform requires, nevertheless, that we should explicitly declare our opinion, that the evils which oppress us have been aggravated by the various and temporizing policy of successive administrations.

The destinies of this important province have been confided to colonial secretaries, ignorant of the state of parties in the colony. Entering upon office without a competent knowledge of our affairs; relying for information upon a House of Assembly, constituted as that body has been shewn to be; alternately making unwise concessions or attempting

to enforce unwise principles, and not unfrequently retiring from office at a time when experience would have enabled them to act with becoming judgment and decision, the tendency of their measures has been to compromise the dignity of the Home government, and to confer a sanction upon the pretensions by which our interests are assailed.

We are not insensible to the just grounds of complaint arising from the inefficiency of the Executive Council, and the feeble claims which that body possesses to the confidence of the community.

We cannot recognize just principles of government in calling to a seat in one of the Councils, a clerk, or subordinate officer of the other; and although the Legislative Council, as at present constituted, commands our respect as possessing a majority of independent members, we consider that it yet contains too many persons holding dependent situations under the crown, and liable to be acted upon by undue influence.

The accumulation of offices in the family and connections of a leading member of the Legislative Council, deserves to be held up to public reprehension.

The irresponsible manner in which the land-

granting department is conducted, the salary disproportioned to the duties performed, which is attached to the office, and other abuses connected with the Woods and Forests, demand revision.

To the redress of these abuses, and to all other reforms, based upon just principles, we offer the most strenuous support, and we deliberately, and with confidence submit this exposition of our principles and grievances, in order that our fellow-countrymen may be enabled to judge of the sincerity of the respective parties in the province, by contrasting professions with facts.

The subject of this address cannot fail to suggest important reflections connected with the social and political relations of the country. Of what the future will disclose, we can offer no conjecture. Recent events have roused us to a sense of impending danger, and the British and Irish population of Lower Canada are now united for self-preservation, animated by a determination to resist measures, which, if successful, must end in their destruction. Shall we, in this, the country of our adoption, be permitted to find a home? or shall we be driven from it as fugitives?

Strong in the sympathies of our fellow-country-

men, in the sister provinces, injury cannot be inflicted upon us, without affecting them; and the French party may yet be taught, that the majority upon which they count for success, will, in the hour of trial, prove a weak defence against the awakened energies of an insulted and oppressed people.

By order of the Committee appointed at a public meeting of the inhabitants of Montreal, held on the 20th November 1834.

(Signed,) JOHN MOLSON, Jun., *President.*

(Signed,) JAMES QUINLAN, *Secretary.*

*Montreal, December 1834.*

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No. V.

Vol. II. Page 148.

REPORT of the Committee on Finance of the House  
of Assembly of Upper Canada. 4th Session,  
13th Parliament.

TO THE HONOURABLE THE HOUSE OF ASSEMBLY.

The Committee, to whom were referred the Public  
Accounts, &c. having examined the same—

**Report as follows :**

**That the amount of the debt of the province, consisting of debentures, outstanding and not redeemed, is—**

**£1,162,187 15 6**

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**Amount granted for the several public**

**works, but not yet negotiated .. £723,385 9 2**

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**The annual revenue is estimated at.. £ 78,550 0 0**

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**And the assets and balances due the province on the 1st January last,**

**amounted to ..... £137,787 0 0**

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**By reference to the general estimate**

**for 1838, it will be seen, the amount**

**required to make up the deficiency**

**was ..... £ 6,977 2 8½**

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**The amount required for the same pur-**

**pose the present year, is ..... £ 90,170 0 0**

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**The excess expended during the year**

**1838, over the estimate, was ..... £ 12,922 13 8**

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**The estimate for the civil expenditure**

**for 1838, was ..... £ 15,580 15 3**

**The like estimate for 1839, is ..... 29,580 2 8**

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**Making a difference of .... £ 13,999 7 7**

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The estimated annual amount of the ordinary receipts of the province, and the expenditure necessary for the maintenance of the civil government, for the year 1839, are computed as follows:—

Amount of annual civil expenditure, is	£ 70,452	2	8
Interest on amount of public debt, is			
estimated at.....	65,000	0	0
	<hr/>		
Total.....	£135,452	2	8
Amount of annual revenue, (as estimated), is.....	78,550	0	0
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Making a deficit of.....	£ 56,902	2	8
There is also required for the continuance of various public works, during the present year .....	197,416	0	0
And to be paid <i>Messrs. Glynn, Halifax, &amp; Co.</i> and <i>Messrs. Baring, Brothers, &amp; Co.</i> on account of payment of interest on debentures issued in London, and due, the sum of ....	29,000	0	0
	<hr/>		
To be provided for.....	£282,318	11	7
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Your Committee beg to refer, for general information, to the recommendations contained in the report of the Committee of last year, where the state of our finances was fully entered into, and from

whom addresses to her Majesty emanated on the following subjects, *viz.*:—

1st.—To obtain our due proportion of duties formerly raised at Quebec.

2d.—For the control of the post-office revenue.

3d.—For the investment of funds arising from sale of clergy and Indian lands, in the debentures of this province.

4th.—For the control of the casual and territorial revenue.

5th.—For transferring to us the power of regulating the duties on the inland trade.

6th.—For levying an additional duty of  $2\frac{1}{2}$  per cent. on imports at Quebec; and—

7th.—For a loan of £1,000,000 sterling.

The replies to those various addresses have been unsatisfactory. Your Committee recommend their renewal, with the hope the relief prayed for may be obtained, on those various subjects being fully explained by the commissioners, in the event of their being appointed by your honourable house.

They have also taken into their most serious consideration, the situation in which this province is placed, by the discontinuance of all public works, by which not only much valuable time is lost, but

an expenditure is continued, far greater than the difference of the interest of the money, or any loss the country can sustain in the depreciation in the value of the currency. They therefore recommend, as a temporary measure, the issuing of bills of credit, to the amount of £250,000, and have prepared a bill for that purpose.

Bills for the sale of the bank stock owned by the province, and for amending the act imposing tonnage dues on British vessels, are herewith submitted for the adoption of your honourable house.

With respect to the following charges in the estimate account for the support of the civil government, *viz.*:—

For trial, &c. of state prisoners, being an amount advanced from the crown revenue for such service during the year 1838.....	£ 4,512	4	9
Estimated amount yet due for same service, for 1838 .....	£ 5,000	0	0
Estimate for same service, for 1839 ..	£ 3,000	0	0
Amount advanced from crown revenue for secret service money, for 1838..	1,493	8	11

The finances of the province are not in a situation to sustain those charges, all of which have grown out of the late insurrection.



The charge for secret services should not be paid out of provincial revenue.

Many of the items which compose the other charges, as far as they have been examined by the Committee, appear extravagant, and the expenditure generally unsatisfactory.

Your Committee call the attention of your honourable house to the increased expenditure of our courts for the last three years, with the hope that some remedy will be provided to ensure greater economy in future.

Your Committee again refer to the report of last year, in which the Inspector-General is requested to draw up a full report on the state of every branch of our finances at the opening of each session.

They further particularly recommend a separate account to be opened with each public work by the Inspector-General, to notify the directors, commissioners, or persons in charge of any work on which public money has been expended, and from which the interest of such expenditure is to be paid, to make a return of the same on the 1st of January in each year, or report them as so neglecting or refusing to furnish such return, with a view to have them dismissed ;—this your Committee recommend as ab-

solutely necessary to secure the interest on the various outlays thus made.

All which is respectfully submitted.

(Signed)      Wm. HAMILTON MERRITT,  
Chairman.

*Committee Room, House of Assembly,*  
5th day of April 1839.

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No. VI.

Vol. II. page 231.

COPY of a Speech delivered by Na-may-goos, (signifying a trout,) an Indian Chief, at the entrance of Lake Michigan, as coming from the firstman God created, addressed to the different tribes of Indians, 4th May 1807.

Na-may-goos, holding in his hand eight strings of wampum, four white and four blue, said :—

“ Brothers, these strings of wampum come from the Great Spirit ; do not, therefore, despise them, for he knows every thing : they are to go round the earth till they are lost ; they were sent to you by the first man he created, with these words :—

“ ‘ Children, I was asleep, when the Great Spirit,

addressing himself to another spirit, said—I have closed my book of accounts with man, and am going to destroy the earth ; but, first, I will awaken from the sleep of the dead the first man I created ; he is wise, and let us hear if he has aught to say.— He then awoke and told me what he was about to do. I looked round the world, and saw my red children had greatly degenerated—that they had become scattered and miserable. When I saw this, I was grieved on their account, and asked leave of the Great Spirit to come and see if I could reclaim them. I requested the Great Spirit to grant this, in case they should listen to my voice, that the world might yet subsist for the period of three full lives ; and my request was granted. Now, therefore, my children, listen to my voice ; it is that of the Great Spirit : if you hearken to my counsel, and follow my instructions for a few years, there will then be two days of darkness, during which I shall travel unseen through the land, and cause the animals, such as they were formerly when I created them, to come forth out of the earth. The Great Spirit bids me address you in his own words, which are these :—

“ ‘ My children, you are to have very little

intercourse with the whites; they are not your father, as you call them, but your brethren. I am your father; when you call me so, you do well. I am the father of the English, of the French, of the Spaniards, and of the Indians. I created the first man, who was the common father of all these people, as well as yourselves; and it is through him, whom I have awakened from his long sleep, that I now address you: but the Americans I did not make; they are not my children, but the children of the devil. They grew from the scum of the great water, when it was troubled by the evil spirit, and the froth was driven into the woods by a strong east wind. They are very numerous, but I hate them: they are unjust; they have taken away your lands, which were not made for them. My children, the whites I placed on the other side of the big lake, that they might be a separate people; yet they have come on your side of the lake, and have taken most of your country: but they shall see a day of sorrow—they shall suffer, and they shall weep. To them I gave different manners, customs, animals, vegetables, &c.: to them I have given cattle, sheep, swine, and poultry, for themselves only: you are not to keep any of these

animals, nor to eat of their meat. To you I have given the deer, the buffalo, the bear, the moose, the elk, the beaver, and the otter. The fish that swim in your great rivers, and the corn that grows in your fertile fields, all of these I have given you for your own use ; and you are not to give your meat or your corn to the whites to eat. My children, you may salute the whites when you meet them, but shake not hands. You must not get drunk, it offends the Great Spirit. Your old men and chiefs may drink a little pure fiery drink, such as comes from Montreal ; but drink not any whisky ; it is the strong water and drink of the evil spirit ; it was not made by me, but by the Americans ; it is poison ; it makes you sick ; it burns your bowels : neither are you, on any account, to eat bread ; no, not even were it to save you from the grasp of death ; it is the food of the whites only.

“ ‘ My children, you must plant maize for yourselves, for your aged parents, for your wives and your children ; and when you do it, you must help each other : but plant no more than is necessary for your own use ; you must not sell it to the whites, it was not made for them. I made all the innumerable trees of the forest for your use ; but the

maple I love best, because it yields sugar to sweeten your drink. You must make it only for that, and sell none to the whites. They have another sugar made expressly for them. Besides by making too much, you spoil the trees, and give them pain by cutting and hacking them, for they have a feeling like yourselves: if you make more than is necessary for your family, you shall die, and the maple shall cease to yield sugar. If a white man is starving, you may sell him a little corn or a little sugar, but it must be by measure and weight.

““ My children, you are indebted to the white traders; but pay them no more than half their credits, because they have cheated you. You must pay them in skins, gums, canoes, &c.; but not in meat, corn or sugar. You must not dress like the whites, nor wear hats like them; but pluck out the hair of your head, as in the ancient time of your forefathers, and wear the feather of the Great Eagle. When the weather is not severe, you must go naked, except the *osyan* (cloth of decency); and when the rivers are frozen, clothe yourselves in skins or leather of your own dressing. My children, you complain that the animals of the forest are become scarce and

scattered. How should it be otherwise? You destroy them yourselves for the skins only, and leave their bodies to the worms, or give the best pieces to the whites. I am displeased when I see this, and take them back to the earth, that they may not come to you again. You must not kill more animals than are necessary to feed and clothe you; and only keep one dog, because by keeping too many, you starve them. My children, your women must not live with the traders or other white men, unless they are married according to the custom of your nation; but even this, I do not like; because my white and red children were thus marked with different colours, that they might be a separate people.

“ My children, you must not beat your wives with your hands, nor kick them with your feet; if they do wrong, you must have pity on them, and only strike them with a small switch. It is unmanly to do otherwise: if you beat them, that part of you which touches them will be wanting to you when you go to the country of great spirits,

“ My children, your wise men have bad medicines in their bags. When the medicine is in blossom,

collect it fresh and pure. You must make no feasts to the evil spirit of the earth, but only to the good spirit of the air.

“ ‘ You are no more to dance the *Wawbeno* nor the *Poigon Nemch* (the meaning of these two words is unknown to the author). I did not put you on the earth to dance those dances : but you are to dance naked with your bodies painted, and with the *poko mangon* (tomahawk) in your hands. You must all have this weapon, and never leave it behind you. When you dance thus, I shall always look with pleasure. You are to make yourselves *possaquances* (sort of rackets), which you must always carry with you, and amuse yourselves with that game. I made you to amuse yourselves, and am delighted to see you happy. You are never to go to war against each other, but to cultivate peace between your different tribes, that you may become one great, independent people.

“ ‘ My children, no Indian must ever sell *scata waw baw* (fire drink, or water) to Indians. It makes him rich, and riches make him unhappy. When he dies, he becomes wretched. You bury him with all his wealth and ornaments about him : as he goes along the great path of the dead, they fall



from him: he stops to take them up, and then crumbles into dust himself. But those who by their labour furnish themselves with necessities only, when they die, they are happy, and when they arrive at the land of the dead will find their wigwams furnished with every thing they had on earth. '

" ' Now, my children," said the first created man, " listen to what I am about to add." The Great Spirit then opened a door and shewed me a bear and a deer, both very small and lean, and said, " look here, my son, these are animals that are now in the earth ; my red children have spoiled them by killing them too young, and by giving their meat to the whites, and also for greasing themselves with their fat, which is wrong. The women, when they grease their bodies or their hair, should do it only with the fat of the smaller animals, such as racoons, otters, foxes, martens, squirrels, snakes, &c.

" ' The Great Spirit then opened another door, and shewed me a bear and a deer, extremely fat, and of an extraordinary size, saying, " look here, my son, these are the animals I placed on the earth, when I created you."

" Now, my children, listen to what I say, and let

it sink deep in your ears: they are the orders of the Great Spirit. My children, you must not speak of this talk to the whites; it must be holden from them at the bottom of your hearts. I am now on the earth, sent by the Great Spirit to instruct you: each village must send me two or more principal chiefs to represent you, that you may be taught.

“The bearer of this talk, will point out to you the path to my wigwam. I could not come myself to Arbre Croche, because the world is changed from what it was: it is broken and leans down; and as it declines, the Chippewas and all beyond will fall off and die. Therefore, you must come to me and be instructed, in order to prevent it. Those villages which do not listen to this talk and send me the chiefs shall die, and be hurled forthwith to the regions of the evil spirit.”

THE END.









